

MINUTES OF A SPECIAL SELECTMEN'S MEETING  
DECEMBER 29, 2001

Present: Selectmen John Williams, Joe Dziczek, Joe Musmanno, Mary O'Leary. Also present were Town Administrator Greg Balukonis, Administrative Assessor Paul Keefe, Treasurer/Collector Barbara Walls, and Board of Assessors member Harry Johnson. Selectman Raphaela Rozanski, Assessors John Creighton and Mary Ellen Lavenberg and Administrative Services Assistant M. J. Fredette were not in attendance.

Selectman Williams opened the meeting at 4:05 p.m. and stated the purpose was to consider a time extension for mailing the third quarter fiscal 2002 tax bills.

Selectman Dziczek moved, and it was voted, to accept Section 19 of Chapter 203 of the Acts of 2001 that "provides for issuance of third quarter tax bills after December 31, 2001, and payable thirty days thereafter".

Selectman O'Leary moved, and it was voted, to approve warrant #27 in the amount of \$914,805.44, with Selectman Dziczek abstaining.

Assessor Johnson stated concerns over the tax bill question being addressed by staff and not the Board of Assessors. It was noted the Board of Assessors provided a letter supporting acceptance of Section 19. <sup>Assessor</sup> Selectman Johnson also felt Medway officials were required to recommit fiscal 2001 receivables with the election of Barbara Walls as the new Treasurer/Collector in May 2001.

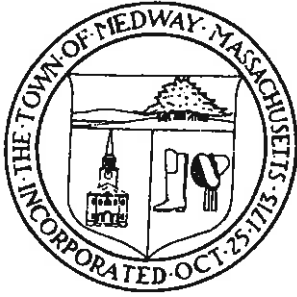
As there was no further business, the meeting was adjourned at 4:17 p.m.

Respectfully submitted,

Greg L. Balukonis  
Town Administrator

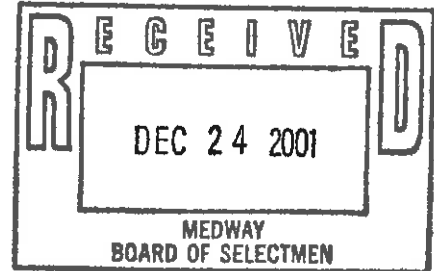
APPROVED  
as amended  
1/7/02

cc: ALB,  
Jhr, web



OFFICE OF  
**BOARD OF ASSESSORS**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

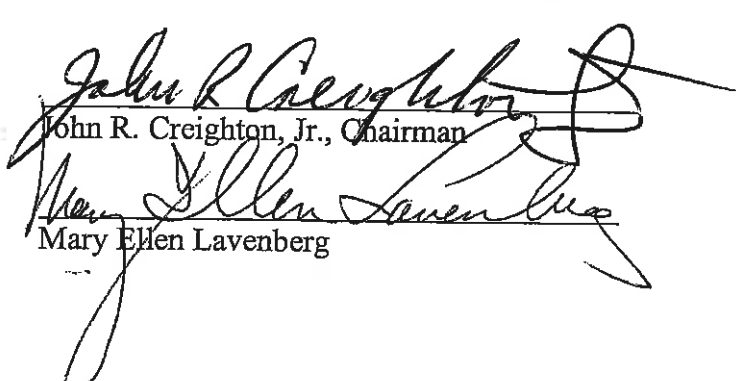
PHONE 508-533-3203  
FAX 508-533-3201



To: Board of Selectmen  
FR: Board of Assessors  
DATE: December 24, 2001  
RE: Change in mailing date for FY2002 Tax Bills

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At their meeting of December 24, 2001, the Board of Assessors voted to support a change in the mailing date of the FY02 3<sup>rd</sup> quarter tax bills from December 31, 2001, to no later than January 4, 2002: with a due date for 3<sup>rd</sup> quarter tax payments and filing deadline for abatement applications of Monday, February 4, 2002. This vote is in accordance with Section 18, Chapter 203 of the Acts of 2001, as signed into law by Governor Jane Swift on December 19, 2001.

  
John R. Creighton, Jr., Chairman

  
Mary Ellen Lavenberg

12/24/01 - Board of Selectmen voted to accept Section 19, Chapter 203 of the Acts of 2001.



# Bulletin

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2001-13B

TO: Assessors and Collectors  
FROM: Joseph J. Chessey, Jr., Deputy Commissioner  
DATE: December 2001  
SUBJECT: FY2002 Quarterly Tax Bill Mailing Extension

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This *Bulletin* is to advise you of just signed local option legislation that would extend the time for mailing fiscal year 2002 actual tax bills in communities using the quarterly payment system from December 31, 2001 to January 31, 2002. Ch. 203 §19 of the Acts of 2001. This legislation is effective immediately.

## Acceptance

The extension only applies in communities that accept the legislation. Acceptance is by majority vote of the city or town council, subject to the municipal charter, or the board of selectmen.

## Payments

For FY2002 only, actual tax bills in communities using a quarterly tax system will be payable in two installments if mailed on or before January 31, 2002. The first installment (third quarter) is due February 1, 2002, or 30 days after the bills are mailed, whichever is later. The second installment (fourth quarter) is due May 1, 2002. Actual tax bills mailed after January 31, 2002 are payable in a single installment due May 1, 2002, or 30 days after the bills are mailed, whichever is later. Ordinarily, actual tax bills must be mailed on or before December 31 to be payable in two installments. G.L. Ch. 59 §57C.

(over)

### Abatement and Exemption Applications

Abatement applications are due the same day the first actual tax bill installment is due. G.L. Ch. 59 §59. For communities that mail the FY2002 actual bills on or before January 31, 2002, this means abatement applications are due February 1, 2002, or 30 days after the bills are mailed, whichever is later. In all other quarterly communities, applications are due May 1, 2002, or 30 days after the bills are mailed. Applications for personal exemptions and the residential exemption are due three months after the actual tax bills are mailed. Applications for all other exemptions are due the same day as abatement applications.

### Taxpayer Notification

If feasible, we suggest that a notice be printed on the bill or in a stuffer alerting taxpayers of the change in the usual mailing schedule and due dates. The *following or other similar language* should be sufficient notice:

IMPORTANT NOTICE. The actual third quarter payment and abatement/exemption application due dates for fiscal year 2002 are stated on the front of this bill. Please disregard the dates shown on the reverse side. The Legislature enacted a one-time exception to the usual schedule so communities may finalize budgets in light of the late state budget.

We also recommend that this information be included in any public information announcements made about your tax bills.

### Bulletin Distribution

Please distribute a copy of this *Bulletin* to your mayor, selectmen or any other officials who should be aware of this option.





December 20, 2001

Board of Assessors  
Town of Medway  
155 Villiage St.  
Medway, MA 02053

Dear Board Members:

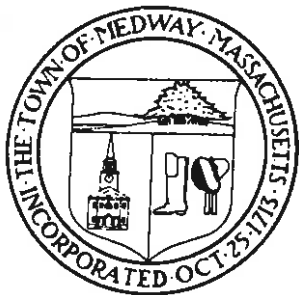
The Fiscal Year 2002 Tax Rate has been reviewed and approved by the Bureau of Accounts.

We wish to thank you and the other local officials involved for your cooperation and assistance in the process of setting the tax rate. Enclosed, please find copies to be distributed to the Board of Selectmen/Town Manager, Treasurer/Collector, Accountant/Auditor and Clerk.

Very truly yours,

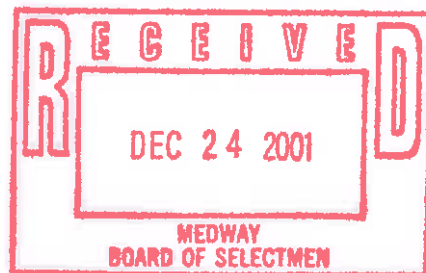
James R. Johnson  
Director of Accounts

JRJ:ccg  
Enc.



OFFICE OF  
**BOARD OF ASSESSORS**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053


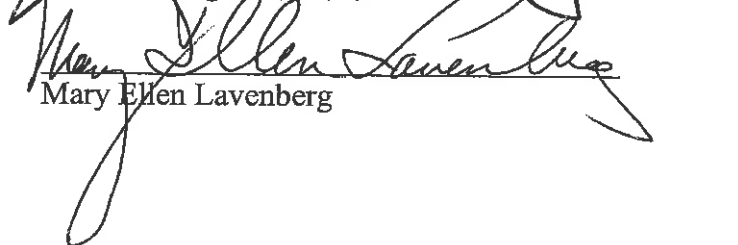
PHONE 508-533-3203  
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John R. Creighton, Jr., Chairman  
  
Mary Ellen Lavenberg



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL – TOWN HALL**  
**DECEMBER 17, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of December 3, 2001.
3. Public comments.

7:15 p.m. – Continuation of tax classification hearing.

4. Town official updates.

7:30 p.m. - Treasurer/Collector Barbara Walls & Town Accountant Kurtis Johnson  
Re: Report on audit conducted.

8:00 p.m. - DPS Director Lee Henry.  
Re: Winter readiness and updates.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Open and close a special town meeting warrant (1/28?)
9. Action items.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Selectmen's next meeting – January 7<sup>th</sup> at 7:00 p.m.
12. Executive session – if required.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

Note: Selectman Musmanno will not be in attendance.

cc: ALB,  
Jen,  
wel

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 17, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman Joe Musmanno was not in attendance.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Rozanski moved approval of warrant #25 in the amount of \$908,028.70; Selectman Williams seconded; Selectman Dziczek abstained; aye 3-0-1.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of December 3<sup>rd</sup>; Selectman Dziczek seconded; all aye 4-0-0.

3. Public comments – none.

6. Reports of the Selectmen.

- Selectman Rozanski spoke about the Route 109 project in Millis, and how lampposts were installed as part of highway enhancement, or “streetscape” as it is referred to in the master plan. She noted that the IDC spoke about certain additives as part of a PWED grant that might still be available.
- Selectman Williams said he misspoke last week when he said the Police Association had hired an attorney. He was corrected by Officer Grimes who indicated the attorney was hired only to look at the bi-weekly payroll suggestion.
- Selectman Rozanski stated she had been working with SWAP, and a legislative breakfast was being planned for February. She noted that Mr. St. Cyr had been laid off, so the budget cuts are hitting everyone.
- Selectman O'Leary had no report.
- Selectman Dziczek spoke about the Community Preservation Committee meeting the next evening, the 18<sup>th</sup>. They had solicited a speaker, Virginia Calapa, to come and talk to them about her involvement with open space in the past. She had a great deal of material to share with them, and there was a strong willingness on her part to get involved to some degree. The committee felt it was good bringing the people from the past to intermingle with the present new people.

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7:15 p.m. – The Board now continued the tax classification hearing begun on December 3<sup>rd</sup>. Selectman O'Leary read the notice from the December 3<sup>rd</sup> advertisement.

Assessors Chairman John Creighton stated that the Board was recommending a factor of one and introduced Administrative Assessor Paul Keefe to go through the numbers.

Referring to page 2, Mr. Keefe stated that the Assessors had submitted new growth in the amount of \$30.4 million in value or \$495 thousand in the tax levy. Recap sheets have been prepared and submitted to the DOR, looking for approval of a new tax rate of \$15.79 per thousand. He noted the breakdown of percentages of 87% residential, with the balance between commercial, industrial and personal property for a single tax rate.

On page 3, Mr. Keefe indicated the percentages if the tax rate was split, which was not excessive. Excess levy capacity, on the last page, was noted at being \$9,197.43. Chart 2 showed the average assessed value for a single family home for FY'2002 is \$245,200, up from \$218,000. Average taxes for a single family home were up 10-12% to \$3,852 from \$3,557.

Selectman Rozanski moved that the Board of Selectmen vote to retain the single tax rate for FY'2002; Selectman O'Leary seconded; all aye. Selectman Rozanski moved that the Board acknowledge that the excess levy capacity was \$9,197.43; Selectman Williams seconded; all aye. The LA-5, Classification Tax Allocation form, was signed by the Board.

4. Town official updates.

7:30 p.m. – Treasurer/Collector Barbara Walls and Town Accountant Kurtis Johnson came to meet with the Board relative to the audit recently conducted.

Selectman Williams stated he had asked for this joint meeting in June, but they were closing out the FY'2000 books then. He noted receipt of a letter from the auditors Melanson, Heath & Company on June 27<sup>th</sup> wherein two main areas of concern were indicated. Those being: cash audit and status of the receivable audit. He assumed both have been corrected since then. They had also recommended a study of the Tax Collector office procedures to provide recommendations for improvements, along with revised policies and procedures, including reconciliation procedures.

Selectman Williams first asked if the books had been closed for FY'2000. Both said no, with Mr. Johnson stating that the receivables have been tied up to the collector system. Tomorrow, the auditors would review the November figures checking back to July 1<sup>st</sup>, and substantiate that balance to June 30<sup>th</sup>. He continued on saying they have closed informally, they still have to have the cash. The

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DECEMBER 17, 2001

financials were ready to go on that basis, and were ready to have the auditors come in to audit the financial statements.

Ms. Walls stated they were hoping to have everything done, but there is one problem with one account that they are trying to reconcile. Other than that, they are reconciled through June. Now, they are up to September, and when she returns in a couple of days, they will try to see where they are out of balance and rectify it.

Selectman Williams asked about the future. Mr. Johnson said, right now, they are balancing but they need a firm cash number which should agree to the general ledger with her books, and the activity agrees.

Selectman Rozanski stated then there is no certified free cash number; they concurred. She then asked how this affected the process through the DOR; Mr. Johnson said they just get certified late.

Selectman O'Leary said she was aware the Treasurer's Office was short-handed at one time, and asked if she now had all her people. Ms. Walls stated, for 2-3 months, she was doing two jobs while new people were hired. One employee was also gone for six weeks. Now, they were fully-staffed, up and running, and they can each concentrate on their own jobs. Selectman O'Leary asked if the number of people in the office were now the same as before; Ms. Walls confirmed that.

Selectman Dziczek queried, if in January when numbers will be provided, that they can reconcile on a monthly basis. Mr. Johnson said that they do activity-wise, but he could not tell about completeness. Selectman Dziczek gathered then that it was under control, which prompted Selectman Williams to ask how would they not if it was not. Mr. Johnson indicated the auditors would know by doing field work and some test work.

Selectman Williams said he assumed they were working on FY'2001 and asked what they do when the previous year is not closed out. Mr. Johnson said the auditors told them to go ahead and close, determine cash at hand and adjust the entries.

Selectman Williams inquired if there was anything for the Board to be concerned about, or they needed from the Board. Mr. Johnson did not know. Ms. Walls indicated she was a bit overwhelmed, but after talking to the auditors, will ask for help if it is needed.

Mr. Johnson referred to a comment made at the Ethics Seminar relating to a single line exclusion for those who may be in conflict by signing warrants. He indicated he would get to it in the next month or so, but may have to send a memo around to determine those who may be in conflict.

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Selectman Williams asked if they were working on the Sumaria system, but Mr. Johnson said they were back to Data National, with only a small problem in the system. Selectman Williams suggested a follow-up mid-February.

7:50 p.m. – DPS Director Lee Henry came to speak to the Board about winter readiness and DPS updates.

- Mr. Henry stated that the first snowstorm of the season was on December 9<sup>th</sup> with no private contractors being utilized, just the Town's own 14 pieces. The Snow Boss this year was the Highway Foreman. He said that the price of salt had increased from \$29.74/ton to \$33.19/ton. This was the fifth year of a five-year moratorium on the use of sand, with no more sand to be used after this year per the Clean Air Act. They will still be sweeping in the spring due to roadway debris.
- Mr. Henry said he had one meeting with the private snow contractors on the State-based rates. The snow budget did not include fuel which is locked in at \$92.95/gal., but they are paying approximately \$.82/gal. Equipment being used includes the Town's 14 pieces of equipment, plus 28 from other contractors with a payment range from \$47.50 to \$112.
- Relative to the new signs in Town, Mr. Henry said he had heard nothing but good comments about how they reflect well at night and are easy to read. He thought it should take 2-1/2 to 3 years, even 5 years to complete at a cost of \$52 to \$64 per sign, depending on its length. He can order and install signs for private ways, but the residents would have to pay for them. Selectman Williams asked that private ways be an agenda item in the future. Mr. Henry indicated that signs for unaccepted streets would go through the developer and Planning Board. Cross signs with new poles were about \$150. They were trying to put the new signs in each quadrant of Town, then by precincts. They were also trying to make up facility signs i.e. Choate Park, Oakland Park and Senior Center, as well as another Welcome to Medway sign on the east side of town.
- A DPS project waiting to be done is the Village Street culvert. Under the Norfolk County Engineers, the engineers laid out the work to be done saving the Town thousands of dollars. The old granite culvert covers 200 ft. on both sides of the road, to be replaced with a 5 ft. box culvert with headwalls on both sides of the street. Erosion and truck traffic has worn the area down, and if the section goes, Village Street would have to be closed down. He is looking at various grant options for construction, but Village Street would have to be closed down at

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 17, 2001

least for a week, probably in August. The Town would do most of the prep work with a special crane coming in to erect.

- The Choate Park Dam is leaking and the stop gates are decrepit, and need to be replaced. The water has been lowered in the Pond to review the situation. Two years ago, the Town voted to appropriate \$45,000 to design a new dam, which will hopefully be done after next year's summer program.
- Spring paving funds had been taken away by 75%, leaving \$22,000 now. They are trying to spend wisely, but the plan is subject to many revisions. Year 4 was modified but will have to be revisited again.
- Route 109 for Medway is only a part-time disaster with few businesses being affected. There was a meeting held the previous week with District 3, only the second meeting since construction started. He felt there had been a lack of communication and oversight of the project by the State. Now, weekly meetings at the site will be held.
- Basement renovations in Town Hall are almost complete for storage, with receipt of some free office equipment from Ft. Devons helping out.
- With regard to heat in Town Hall, Mr. Henry felt the heat controls and thermostats were in some weird spots, and were looking all over for 30 controls. After that, they want to look at zones, then ventilation and air exchange with some possible different options.

Selectman Dziczek asked about the parks and what was the status with the Park Commissioners. Who issues permits for the parks and the schools. Will school property be off limit. If money is tight, will fees be increased to cover costs. Mr. Henry said he met with the Park Commissioners, and they signed an addendum to have the park issues handled by DPS, and part if it was the permitting process. They are getting together to set up a procedure process, but discussions are still on-going on the fee structure. Right now, fees are only \$15 per permit fee to the park revolving fund. He is only responsible for the fields under the Park Commissioners or the Board of Selectmen. Idylbrook will be used in the fall of 2002.

Mr. Balukonis stated he had preliminary discussions with Art Bettencourt relative to maintenance of school facilities, and possibly a joint discussion with the Selectmen and the School Committee would be in order, but he would bring that back to the Board first. Discussions could be set up for January for a proposal concept, then a



MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 17, 2001

Memorandum of Agreement, and finally costs for providing the services as part of a budget process for FY'2003.

Selectman Dziczek asked about the old street signs, and Mr. Henry said they would be considered surplus, with possibly another auction. Selectman Williams requested this be a future agenda item. Selectman Dziczek asked about the surplus junk vehicles, and Mr. Henry stated they were gone, but now there are 8 others.

Selectman Williams asked what Mr. Henry required, and he said, money. Mr. Henry stated he had spoken to Rep. McGovern, and seeking federal money is about the only way to go.

8:50 p.m. – Report of the Town Administrator.

- Mr. Balukonis handed the Board a schedule on budget hearing dates, trying not to utilize Saturdays. Selectman Williams had a problem with January 10<sup>th</sup>, but January 14<sup>th</sup>, 24<sup>th</sup> and 31<sup>st</sup> were fine. Mr. Balukonis will look for a fourth date or try and consolidate.
- Relative to the recent budget discussions, he had done some preliminary review, while gathering information on health insurance. When he spoke to the Board last week, he had felt there would be a 12% increase in health insurance; now, it looked more like a 20% increase on \$2 million. This would be taking a significant amount out of the revenue stream.
- Mr. Balukonis stated he had participated in the Police Officer candidate interviews last Friday, along with the Police Chief, Sgt. Saleski and Lt. Malo. Three new individuals will be selected out of the six interviewed, which needs to be done quickly so they can be scheduled into the academy prior to the retirements taking place.

7. Report of the Chairman – already done.

8. Discussion items.

- The only item for discussion was the opening and closing of the Special Town Meeting warrant scheduled tentatively for January 28<sup>th</sup>.

Mr. Balukonis explained that subcontractor bids would be opened the next day, and the general contractor bids due on January 11<sup>th</sup>. The Municipal Building Committee has determined that, if there were not sufficient funds when the general contractor bids were opened, that a special had to be held to determine if the Town would appropriate additional funding so that the contract could be awarded within 30

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 17, 2001

days of January 11<sup>th</sup>. Posting of the warrant would be done on January 14<sup>th</sup> after the Board signed the warrant on January 7<sup>th</sup>.

Selectman Rozanski's only request was to have a dollar figure in the article for the high school, as she understood that an additional appropriation would be requested only should it be necessary.

Mr. Balukonis asked that the Board open and close the warrant with the high school article, and two other articles on hold. One was a citizens petition to fund architectural services for an addition to the senior center, and the other was authorization to borrow anticipated revenue through chapter 90 funding.

Selectman Rozanski moved that the Board set the date of January 28, 2002 for a special town meeting and to open the warrant this evening, insert the three articles previously mentioned, and to close the warrant this evening; Selectman Dziczek seconded; all aye 4-0-0.

9. Action items – done.

10. Communications/correspondence/information items.

- Selectman Williams acknowledged a letter from Library Trustee Wendy Rowe relative to an update on the Library roof leakage and subsequent repairs; the monthly report from the Building Inspector; a letter from the Medway Historic Document Initiative reiterating their concern for records management; and a letter from the School Committee to the Board and the Finance Committee regarding chapter 70 aid. Selectman Williams stated, when the Board hears from the Finance Committee, they will take action on the letter.

11. Dates to remember: Selectmen's next meeting on January 7<sup>th</sup>.

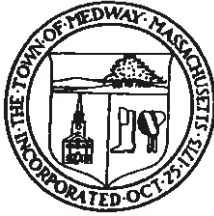
12. Executive session – none required.

9:15 p.m. – Selectman Rozanski moved the meeting be adjourned; Selectman Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
1/7/02



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

### AGENDA

BOARD OF SELECTMEN  
SANFORD HALL – TOWN HALL  
DECEMBER 10, 2001

7:00 p.m. – Open meeting.

Town Counsel Richard Maciolek.  
Re: Update on Town legal issues/cases.

7:15 p.m. – Domino's Pizza, 122 Main Street.  
Re: Denial of sign permit by Building Inspector.

7:30 p.m. – Grace Hoag, Wendy Rowe, Priscilla Howker  
Re: Final summation on Medway Historic Document Initiative

1. Approve and sign warrant.
2. Approval of minutes – none.
3. Public comments.
4. Town official updates.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Selectmen and Town Administrator goals.
  - Utilizing signs in Town showing metric units for all new installations.
9. Action items.
  - Sign all licenses for Medway license holders for year 2002, including alcohol, common victualler, automatic amusement, live entertainment, class II, class III, auctioneer, Sunday entertainment, billiard.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Selectmen's next meeting – December 17<sup>th</sup>, January 7<sup>th</sup> at 7:00 p.m.
12. Executive session – if required.

\*all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*cc: Aub, Jr.,  
web*

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

Present: Selectmen John Williams, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

- Town Counsel Richard Maciolek came to update the Board on the Town's legal issues and cases. He stated the only pending case is the Costello lawsuit. Depositions have been taken, and all sides have filed motions for summary judgment. He was now waiting for the schedule of hearings on the motions, possibly sometime in January. Attorney Maciolek said he remained optimistic, and believed the law and facts were on the Town's side.

The only other possible "litigations" were three cases pending against the Zoning Board of Appeals, none of any significance, two of which he felt would probably be withdrawn. The case of the building across the street from Town Hall is a more defensive appeal of those rebuilding. He suspected the Planning Board would allow them to go to the ZBA with a different configuration, and if and when that is done, the appeal will be withdrawn. Selectman Dziczek believed the ZBA refused allowing the developer to go from commercial to residential. Attorney Maciolek understood the ZBA had suggested to the developer that, if he came back with a commercial plan for the first floor, they would look favorably to a residential plan on the other floors.

There was one case with the Board of Assessors at the appellate tax board from two years ago involving Media One where they were contesting the valuation of what was perceived public and private property.

There were no Planning Board or Board of Health issues.

7:10 p.m. – George Johnstone came before the Board concerning the denial of a sign permit he had applied to the Building Inspector for regarding Domino's Pizza.

Mr. Johnstone indicated he had been denied a sign permit because the area of the sign exceeded the maximum allowable of 25 square feet. He explained that the owner would like exposure on the road and felt it would be best to attach to the existing sign of Cumberland Farms. He stated this sign was one of the smaller signs Dominos has, still being consistent with the corporate sign policy. He would be asking for an additional footing installed in the middle of the sign for support regardless. He noted that the photo the Board received was a rendering of what the sign would look like, not an actual photo.

Selectman Williams asked about the location of the sign. Mr. Johnstone said he had met with Officer Watson and provided a letter to the Board that Officer Watson had written indicating he was comfortable with the sign. Mr. Johnstone

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

noted that the sign would have a steel pole through the center, and would stand on its own. Selectman Williams was wondering what percentage was walk-in's versus ordering ahead. Selectman Dziczek brought up the issue of the Board always having to face a discussion of signs on Route 109, but at this point, the discussion was held over pending the arrival of the owner.

7:20 p.m. – Wendy Rowe, Grace Hoag and Priscilla Howker, members of the Historic Document Initiative Committee, came to meet with the Board to present a final summation.

Selectman Williams recalled their last visit when Margaret Cornell, their consultant, had accompanied them. Mrs. Hoag said their final report had been sent in to the State. They believed the whole process went well, especially since none of them knew how it would go. Mrs. Howker showed the Board the finished town-wide report, and stating that one copy would be on file with the Town Clerk and the Library. Mrs. Hoag continued that there are a lot of materials that need to be conserved, most at Town Hall.

Selectman Williams inquired if there should be a point person, and are there additional funds required. Mrs. Rowe said she did not believe there were any funds for preservation that would be allowed in the grant process, which entailed a thick document. Applications, however, could be received until October 11<sup>th</sup>, with a decision being made in May 2003 of the recipients of the funding.

Selectman Williams suggested contacting Carla Cataldo with help in possibly filing the grant pro bono. Mrs. Rowe felt they could utilize some grant-writing money, with Selectman Musmanno asking if they had money to actually spend, would they be ready to take their next steps. Mrs. Rowe indicated they had a good source with Northeast Document Conservation Center. Selectman Musmanno felt Mrs. Cornell had identified the priorities of what really needed to be done. Mrs. Rowe also stated they could use preservation boxes, and if anyone had some they wanted to donate, they could call Mr. Balukonis. Selectman Williams asked the committee to give any additional information to Mr. Balukonis, and encouraged them to contact Ms. Cataldo. Again, Mrs. Rowe stated they are all in favor of conserving the documents, but funds will be needed to have it done. Mrs. Howker restated Mrs. Cornell's desire to continue working with the Town if funds are provided, and the Town seeks her assistance.

7:35 p.m. – Dominos' owner Jeff Dufficy came to meet with the Board.

Selectman Musmanno stated that it had been represented to the Board that the only way Dominos could achieve results along road was to have the sign. Had he talked to Cumberland Farms. Mr. Dufficy indicated he had, and they were unwilling to modify their sign to include Dominos. Selectman Musmanno felt the signs are self-propagating, and by keeping in limit, are getting visibility. Mr. Dufficy said he knew the by-law regulation on signs, but had waited until now,

*Add \*He believed the sign regulations allow 25 sq. ft.; this would increase to 112 sq. ft.*

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

after he got established, to request the sign because he believed a business benefits with additional signs. Selectman Musmanno said he would still like to see him make arrangements to share a sign. Mr. Dufficy again said it was not an option. He understood no town really wants a lot of signs, but he had tried all angles. He wanted to still have an amicable relationship with his landlord.

Selectman Dziczek felt Dominos had done well in three years, but these sign requests have to stop. Mr. Dufficy felt when a motorist goes down the hill, they go past Dominos all the time. He also noted there were bigger and better signs on the other side of the street. He asked for suggestions, but said the 5 X 5 sign is the smallest stock sign they have, and was a better price than if it had been custom-made.

Mr. Balukonis understood the sign to be internally lit, and asked if there was one that wasn't; Mr. Dufficy said no. Selectman Williams moved to approve the 25.89 sq. ft. sign; there was no second.

Selectman O'Leary commented she did not want Mr. Dufficy to go away with no sign at all. Selectman Musmanno countered that there have been other signs that ended up with additional items that the Board had overlooked. With this, Selectman Williams asked Selectman Musmanno what size would he accept. Selectman Musmanno stated it wasn't just the size; there were other factors; the size was in the by-law, and noted other towns have shared signs.

Mr. Dufficy stated it was not his intention to relocate, but laws change over time, and why should he reduce the size of his sign because Cumberland's sign was bigger. Selectman Musmanno noted Cumberland's sign was pre-existing and non-conforming and grandfathered, but he would be more favorable to Dominos if his sign was smaller. Selectman Dziczek agreed a 2 X 3 sign would be more attractive, and indicated he might be in favor of that.

Mr. Johnstone explained he had spoken to the Building Inspector about the sign, but was told they could only do a sign that was attached, rather than separate. At this point, Selectman Dziczek suggested tabling this until next week when the Building Inspector might be asked to come in. Instead, Selectman Williams advised Mr. Dufficy that the Board took no action tonight, and to work with the Building Inspector on an alternative solution.

1. Approve and sign warrant.  
  
Selectman Musmanno moved the Board approve warrant #24 in the amount of \$839,094.94; Selectman Williams seconded; Selectman Dziczek abstained; aye 3-0-1.
2. Approval of minutes – none.

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

3. Public comments – none.

4. Town official updates – none.

5. Report of the Town Administrator.

- Mr. Balukonis stated that the Board had asked him to review the affordable housing lottery at Woodside, and the process used. To summarize, he stated that the number of applications received was 39; 29 were approved; 10 were not. With 14 units available, 1 must be for a minority, 10 must be for Medway residents/employees, with 3 open. The number of applications for the "open" slot exceeded the "Medway" slot, and the 1 minority was a Medway resident. Mr. Balukonis noted that 350 applications had been given out overall. Insofar as a new date is concerned, Barbara Evans said it had not been set yet, but will advise him. He indicated there had been some concern on eligibility requirements, and this is being looked at.

- Mr. Balukonis next brought up the budgeting process for fiscal 2003, which takes effect July 1, 2002. He indicated that, for the most part, budgets from departments are in, reflecting level services. He stated there appears to be only \$635,000 in available revenue, and due to the fact of today's economy, low local receipts and state aid, this compounds the problem. Most departments had come in at a reasonable level, but it would put the town at a deficit of \$1.3 million preliminary revenue shortfall at first pass. They were looking at possible 10-12% increase in costs on the educational side and health insurance. This shortfall does not include contract settlements which have not been finalized yet. If \$200,000 ends up going to insurance, that would leave around \$400,000 for town and school.

- Mr. Balukonis stated he had received a letter from Attorney Timothy Burke requesting an informal session prior to beginning collective bargaining between Medway and the Police Association. Selectman Williams asked if the Town had ever hired counsel for the Police Association in the past; to Selectman Dziczek's knowledge, no. Selectman Williams said Mr. Balukonis could hire special counsel if needed, but he believed there was a good relationship between both parties and no contentious contracts. Selectman Williams moved to direct Mr. Balukonis to commence collective bargaining; Selectman Dziczek seconded; all aye.

- Mr. Balukonis commented that a memo had been sent out regarding bi-weekly payroll being put in place, but this is a change in the process, and is part of impact bargaining. The memo will be rescinded.

- Mr. Balukonis stated that a memo had been sent from the Norfolk County Engineers regarding the status of projects in the Town going back to June of 1999. The letter seemed to indicate that the Village Street survey was not a

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

priority, however, this was said in error as it involves Brundages Corner, and will be done in fiscal 2003 during the minimal water flow time which is the dry season during the summer 2002.

6. Reports of the Selectmen.

- Selectman Dziczek reported attending the Planning Board meeting on Tuesday, the 11<sup>th</sup>, where representatives spoke about the Upper Charles Land Trust. He also noted the Finance Committee was meeting on Wednesday, the 12<sup>th</sup> at Tri-County. The Community Preservation Committee was next meeting on Tuesday, the 18<sup>th</sup>. He felt this was a dynamic group who were moving along and waiting to touch base with other boards. They hoped to hold a public forum tentatively on February 5<sup>th</sup>. Mr. Balukonis noted if the tax rate gets set, the assessment will be included in the February 1<sup>st</sup> tax bill.
- Selectman O'Leary had no report.
- Selectman Musmanno stated he had spoken to Marcia McClary of Sithe who indicated there was no change in the status of the project, which is on hold until after January 1<sup>st</sup> when Sithe is expected to re-evaluate the situation.

7. Report of the Chairman.

- Selectman Williams just noted that Selectman Rozanski was home ill, and hoped she would get well soon. He also thanked Bevilacqua Paving for the paving they recently did at the schools at no cost to the Town.

Selectman Williams spoke about receipt of the cherry sheet figures, and provided everyone with a printout of fiscal 2002 figures, alongside fiscal 2001 and 2000 for comparison.

Mr. Balukonis provided an analysis between budgeted amounts, actual amounts as of 12/6/01, and the difference. He noted that, last year, the Town was paid too much.

8. Discussion items.

- Selectmen and Town Administrator goals. Selectman Williams requested the Board defer their goals discussion until January.
- Utilizing signs in Town showing metric units for all new installations. Selectman Musmanno said he had spoken to some people who prefer the multi-unit signs over metric only signs. When he looked up the Federal regulations, he discovered that multi-unit signs no longer exist. Adjacent signs could be used, but that would be an extra cost, and he did not want to see the Town incur any extra costs; that was part of his proposal.



MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

Selectman Dziczek commented that no other Town is using metric, and not everything is written up in metric now, but he would like to know how many signs there are, and what the cost would be anyway.

Selectman O'Leary said she had spoken to people as well, and nothing positive came from it, but suggested consulting with Police, Fire, and Highway to get their opinions first. Mr. Balukonis said he would get their opinions.

Selectman Williams stated there was no immediate need at this time to pursue the issue, but would want to know what the cost per sign would be to have the two adjacent to one another, and how many would be needed. He noted it could be an educational feature, but the compliance date was January 9, 2012, so there was still plenty of time.

Selectman Musmanno noted that when a developer does a subdivision, he pays for the signs, so if it is a part of his cost, there would be no cost to the Town.

In talking about the street signs, Mr. Balukonis noted that when the manufacturer makes a mistake on the spelling of a street, he pays for the new one. Selectman Dziczek inquired about the old street signs, which prompted Selectman Williams to ask if there would be another surplus property auction after the signs are collected. Selectman Musmanno felt this was something that could be discussed in January.

Selectman Williams noted that Selectman Rozanski will add another perspective to the discussion when it comes up again, and hopefully by that time, they will have received some answers to their questions.

9. Action items.

Sign all licenses for Medway license holders for year 2002, including alcohol, common victualler, automatic amusement, live entertainment, class II, class III, auctioneer, Sunday entertainment, billiard. Selectman Williams said that the Board would sign the licenses later, not adjourning the meeting, but just turning down the sound while they sign, which would be their approval.

10. Communications/correspondence/informational items – none.

11. Dates to remember: Selectmen's next meetings – December 17<sup>th</sup>, January 7<sup>th</sup> at 7:00 p.m.

12. Executive session – none required.

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 10, 2001

8:55 p.m. – The Board proceeded to sign the 74 licenses. With regard to Norman Greene's Class II license, Selectman Williams said the Board could sign the license, but to hold off issuance until he cleaned up the location. He also indicated he would document his concerns.

9:10 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
95 amended  
1/7/02

**MEDWAY****A. EDUCATION:****Distributions and Reimbursements:**

	<b>FY 02</b>	<b>FY 01</b>	<b>FY 00</b>
1. Chapter 70	\$5,886,950	\$5,354,780	\$4,909,230
2. School Transportation Programs <i>Chs. 71, 71A, 71B and 74</i>	129,193	101,932	116,553
3. School Construction <i>1948, Ch. 645; 1976, Ch. 511</i>	562,350	585,720	585,720
4. Retired Teachers' Pensions <i>Ch. 32, s. 20 (2) (c)</i>			
5. Tuition of State Wards <i>Ch. 76, ss. 7,9; Ch. 74, s. 7A; Ch. 71, s. 71f</i>		26,487	20,686

**Offset Items - Reserve for Direct Expenditure:**

6. Racial Equality <i>Chs. 76, s. 12A, 71, ss. 37 I,J, 15, s. 1f</i>			
7. School Lunch <i>1970, Ch. 87f</i>	7,560	6,822	6,806
8. Aid to Reduce Class Size			

<b>Sub-Total, All Education Items</b>	<b>\$6,586,053</b>	<b>\$6,075,741</b>	<b>\$5,638,795</b>
---------------------------------------	--------------------	--------------------	--------------------

**B. GENERAL GOVERNMENT:****Distributions and Reimbursements:**

1. Lottery, Beano & Charity Games	\$1,066,273	\$984,604	\$895,603
2. Additional Assistance	236,317	235,317	235,317
3. Highway Fund <i>Ch. 81, s. 31; 1980, Ch. 577, s. 8</i>	21,091	84,362	84,362
4. Local Share of Racing Taxes <i>1981, Ch. 558</i>			
5. Regional Public Libraries <i>Ch. 78, s. 19C</i>			
6. Police Career Incentive <i>Ch. 41, s. 108L</i>	38,533	31,813	
7. Urban Renewal Projects <i>Ch. 121, ss. 53-57</i>			
8. Veterans' Benefits <i>Ch. 115, s. 6</i>			1,083
9. Exemptions: Vets, Blind & Surviving Spouse <i>Ch. 58 etc.</i>	11,838	11,575	13,034
10. Exemptions: Elderly <i>Ch. 59, s. 5, Cl. 41, 41B, 41C</i>	16,097	16,566	15,662
11. State Owned Land <i>Ch. 58, ss. 13-17</i>			

**Offset Item - Reserve for Direct Expenditure:**

12. Public Libraries <i>Ch. 78, s. 19A</i>	17,381	18,637	18,152
<b>Sub-Total, All General Government</b>	<b>1,396,530</b>	<b>1,382,674</b>	<b>1,263,113</b>

<b>C. TOTAL ESTIMATED RECEIPTS, FISCAL 2001</b>	<b>\$7,982,583</b>	<b>\$7,458,616</b>	<b>\$6,901,908</b>
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*Three Year Illustration prepared by Selectman Williams, December 7, 2001.*

*Columns for FY01 and FY00 were added by him for comparison to the FY02 amounts just released.*

**39 Applications were received.**

**Letters of award were sent to 29 applicants**

<b>UNITS</b>	<b># IN DRAWING</b>	<b>COMMENT</b>
1 minority award	2 in drawing	(one is Medway, other is open)
10 Medway awards	8 in drawing	(plus Medway minority above if not drawn above)
3 Open awards	19 in drawing	(plus minority if not drawn above)

**10 Applicants were sent letters of regret for the following reasons:**

- ☐ 3 for incomes exceeding limits
- ☐ 1 for family composition
- ☐ 2 for not declaring the occupancy of significant other in income/assets
- ☐ 1 was late delivered to trailer after deadline
- ☐ 2 were incomplete and did not provide asset, income, or mortgage qualification even after called.



BERNARD F. CROWLEY, JR.  
ACTING COMMISSIONER

*The Commonwealth of Massachusetts*  
*Department of Revenue*  
*51 Sleeper Street*  
*P.O. Box 9494*  
*Boston, MA 02205-9494*

December 6, 2001

TO LOCAL GOVERNMENT OFFICIALS:

Following final enactment of the FY2002 state budget, and pursuant to Chapter 58 of the Massachusetts General Laws, the Department of Revenue is sending you notification of the estimated amounts to be received by your municipality during the fiscal year ending June 30, 2002, as detailed on the enclosed green Form C.S. I-ER.


In late February of 2001, the Department of Education (DOE) provided preliminary estimates of FY2002 net school spending requirements prescribed by the Education Reform Act, Chapter 71 of the Acts of 1993, as amended. In many cases, your final FY2002 Cherry Sheet will reflect a level of Chapter 70 aid different from that included in DOE's February notification and on your preliminary FY2002 Cherry Sheet. As was the case last year, section 3 of the FY2002 budget establishes a local option process to make any increase in Chapter 70 above the amount appearing in section 3 of the Governor's budget available to be spent by the school committee without appropriation. Instructions on the local approval process, as well as accounting and reporting procedures, will be posted to the Division of Local Services' web site: <http://www.dls.state.ma.us/Cherry/index.htm>

The FY2002 estimated receipts for cities, towns and regional school districts total \$5.135 billion, an increase of \$277 million or 5.7 percent from the FY2001 Cherry Sheet totals of \$4.858 billion. The increase is primarily attributable to a \$223 million increase in Chapter 70 aid, a \$48 million increase in Lottery aid and a \$41 million increase in School Construction aid. Local officials should also be aware of reductions to certain accounts, below the level appearing on the preliminary Cherry Sheets. Highway Fund aid was reduced by \$32.6 million or 75 percent and State-owned land was reduced by \$6 million or 28.6 percent. Lottery aid was reduced by \$11.9 million to reflect the shortfall of the estimated FY01 lottery surplus paid last May. Consequently, the second quarter local aid distribution will not be reduced to reflect this shortfall.

Magnet Education and Equal Education Improvement grants have also been reduced significantly. We have not provided Cherry Sheet estimates for these accounts since DOE will be collecting data on final program costs incurred to date and payments will be adjusted based on costs incurred and the appropriations. Also, please note that the MCAS Remediation Assistance distribution appearing on the preliminary Cherry Sheets has not been included on the final Cherry Sheets. Since Remediation Assistance was funded as a grant program, districts must apply to DOE to receive funds. Finally, the Tuition of State Wards program was not funded, however, this line-item was not included on the preliminary FY02 Cherry Sheets.

Division of Local Services staff are available to answer your questions or provide additional information. You may call the Local Aid Section of the Division of Local Services at (617) 626-2386 or (617) 626-2376.

Very truly yours,

  
Bernard F. Crowley, Jr.  
Acting Commissioner

*cc: B&S 12/7/01*

Commonwealth of Massachusetts Department of Revenue  
NOTICE TO ASSESSORS OF ESTIMATED RECEIPTS  
General Laws, Chapter 58, Section 25A

FY2002

**MEDWAY****A. EDUCATION:****Distributions and Reimbursements:**

1. Chapter 70
2. School Transportation Programs *Chs. 71, 71A, 71B and 74*
3. School Construction *1948, Ch. 645; 1976, Ch. 511*
4. Retired Teachers' Pensions *Ch. 32, s. 20 (2) (c)*
5. Tuition of State Wards *Ch. 76, ss. 7,9; Ch. 74, s. 7A; Ch. 71, s. 71f*

5,886,950

129,193

562,350

**Offset Items – Reserve for Direct Expenditure:**

6. Racial Equality *Chs. 76, s. 12A, 71, ss. 37 I,J, 15, s. 1I*
8. School Lunch *1970, Ch. 871*
9. Aid to Reduce Class Size

7,560

**Sub-Total, All Education Items**

6,586,053

**B. GENERAL GOVERNMENT:****Distributions and Reimbursements:**

1. Lottery, Beano & Charity Games
2. Additional Assistance
3. Highway Fund *Ch. 81, s. 31; 1980, Ch. 577, s. 8*
4. Local Share of Racing Taxes *1981, Ch. 558*
5. Regional Public Libraries *Ch. 78, s. 19C*
6. Police Career Incentive *Ch. 41, s. 108L*
7. Urban Renewal Projects *Ch. 121, ss. 53-57*
8. Veterans' Benefits *Ch. 115, s. 6*
9. Exemptions: Vets, Blind & Surviving Spouse *Ch. 58, s. 8A; Ch. 59 s. 5*
10. Exemptions: Elderly *Ch. 59, s. 5, Cl. 41, 41B, 41C*
11. State Owned Land *Ch. 58, ss. 13-17*

1,056,273

235,317

21,091

38,533

11,838

16,097

**Offset Item - Reserve for Direct Expenditure:**

12. Public Libraries *Ch. 78, s. 19A*

17,381

**Sub-Total, All General Government**

1,396,530

**C. TOTAL ESTIMATED RECEIPTS, FISCAL 2002**

7,982,583

**Commonwealth of Massachusetts Department of Revenue**  
**NOTICE TO ASSESSORS OF ESTIMATED CHARGES**  
**General Laws, Chapter 59, Section 21**

## MEDWAY

The following State and County Assessments, as estimated, and the underestimates from the prior year, must be used by the Assessors in determining the "Total Amount To Be Raised By Taxation." Overestimates from the prior year must be listed by the Assessors as "Estimated Receipts - State."	Column 1 Estimates To Be Raised	Column 2 PRIOR YEAR Underestimates To Be Raised	Column 3 PRIOR YEAR Overestimates To Be Used As Estimated Receipts - State
<b>A. County Assessment, County Tax:</b> <i>Ch. 35, ss. 30, 31</i>	63,786		
<b>B. STATE ASSESSMENTS AND CHARGES:</b>			
1. Retired Employees Health Insurance <i>Ch. 32A, s. 10B</i>			
2. Retired Teachers Health Insurance <i>Ch. 32A, s. 12</i>			
3. Mosquito Control Projects <i>Ch. 252, s. 5A</i>	19,000		
4. Air Pollution Districts <i>Ch. 111, ss. 142B, 142C</i>	2,975		
5. Metropolitan Area Planning Council <i>Ch. 40B, ss. 26, 29</i>	3,043		
6. Old Colony Planning Council <i>1967, Ch. 332</i>			
7. RMV Non-Renewal Surcharge <i>Ch. 90; Ch. 60A</i>		4,400	
<b>Sub-Total, State Assessments</b>	25,018	4,400	
<b>C. TRANSPORTATION AUTHORITIES:</b>			
1. MBTA <i>Ch. 161A, ss. 8-9; 1974, Ch. 825, ss. 6-7</i>	14,681		
2. Boston Metro. Transit District <i>1929, Ch. 383; 1954, Ch. 535</i>			
3. Regional Transit <i>Ch. 161B, ss. 9, 10, 23; 1973, Ch. 1141</i>			
<b>Sub-Total, Transportation Assessments</b>	14,681		
<b>D. ANNUAL CHARGES AGAINST RECEIPTS:</b>			
1. Multi-Year Repayments Program			
2. Special Education <i>Ch. 71B, ss. 10, 12</i>			1,153
3. Energy Conservation <i>1983, Ch. 700</i>			
4. STRAP Repayments <i>1983, Ch. 637, s. 32</i>			
<b>Sub-Total, Charges against Receipts</b>			1,153
<b>E. TOTAL ESTIMATED CHARGES, FISCAL 2002</b>	103,485	4,400	1,153

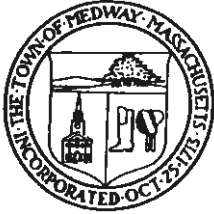
**F. NET CHARGES, FISCAL 2002** (Column 1 + Column 2 - Column 3)

**106,732**

## Fiscal 2002 Cherry Sheet Analysis

	Budgeted Amounts, per 3/30/01	Actual Amounts, per 12/6/01	Difference
Chapter 70	\$ 5,697,223	\$ 5,886,950	\$ 189,727
School Transportation	\$ 101,932	\$ 129,193	\$ 27,261
SBAB	\$ 562,350	\$ 562,350	\$ -
School Lunch	\$ 7,560	\$ 7,560	\$ -
Remediation Asst.	\$ 47,567	\$ -	\$ (47,567)
<b>Sub-Total, Education</b>	<b>\$ 6,416,632</b>	<b>\$ 6,586,053</b>	<b>\$ 169,421</b>
Lottery Aid	\$ 1,073,937	\$ 1,056,273	\$ (17,664)
Additional Assistance	\$ 235,317	\$ 235,317	\$ -
Highway Fund	\$ 84,362	\$ 21,091	\$ (63,291)
Police Incentive	\$ 38,533	\$ 38,533	\$ -
Exemptions, Blind	\$ 11,838	\$ 11,838	\$ -
Exemptions, Elderly	\$ 16,566	\$ 16,097	\$ (469)
Library (offset)	\$ 18,911	\$ 17,381	\$ (1,530)
<b>Sub-Total Gen. Govt</b>	<b>\$ 1,479,464</b>	<b>\$ 1,396,530</b>	<b>\$ (82,954)</b>
<b>TOTAL FY 2002</b>	<b>\$ 7,896,096</b>	<b>\$ 7,982,583</b>	<b>\$ 86,467</b>
FY 2001 Lottery Overpayment		\$ (18,551)	\$ (18,551)





**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL – TOWN HALL**  
**DECEMBER 3, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of November 19, 2001.
  - Regular meeting minutes of November 26, 2001.
3. Public comments.
4. Town official updates – none.

7:15 p.m. – Tax Classification Hearing.

7:30 p.m. – Tim Dumas

Re: Boy Scout Eagle Scout project.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Selectmen and Town Administrator goals.
9. Action items.
  - Vote on extension of Conroy Development site plan.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Selectmen's next meetings – December 10<sup>th</sup>, 17<sup>th</sup> at 7:00 p.m.
12. Executive session – if required.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

*cc: ALB & JTW  
12/26/01*

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 3, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Williams moved approval of warrant #23 in the amount of \$1,041,552.47; Selectman Rozanski seconded; all aye.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of November 19, 2001; Selectman O'Leary seconded; all aye.
- Selectman Musmanno moved approval of the regular meeting minutes of November 26, 2001; Selectman O'Leary seconded; all aye.

3. Public comments – none.

4. Town official updates – none.

7:10 p.m. – As there was time, Tim Dumas was taken early to speak about his Boy Scout Eagle Scout project. Selectman Williams asked him how and why he chose the project, and his conversations with the Animal Control Officer and Park Commissioners.

Tim explained he was trying to institute a canine recreation area in the Town to help solve a major problem with dogs. He spoke to Fred Sibley, who suggested the little park on the corner of Cottage and Village Streets. There are no neighbors that close to the park, and is not utilized by that many people. He also wanted a small closed-in area as an informational spot. A separate area for large and small dogs would be configured, and he would spruce up the area around the trestle.

Tim stated he had spoken to the Fire Chief, Park Commissioners and Police Chief about the enclosure, and is recommending a 6 ft. high fence with a length of 1,234 ft. at a cost of \$30,000. He will get the funds donated or, with the help of the 65 active kids and adults in his Troop 108, raise the money. Donations can be sent in care of the Strata Bank Canine Recreation Fund. He will help supervise with his father and asked one of the Board members to help as the Troop link.

Tim indicated that when the project was done, the Troop was willing to still help out and the Park Department will help out for now.

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 3, 2001

Selectman Rozanski asked about the dogs' defecation. Tim stated that residents have to pick it up as part of the rules, and bags would be available there to use. Tim also passed around a letter from Chief Vinton supporting the project and a diagram of the area in question.

Selectman O'Leary clarified that, once inside the fenced-in area, the dogs could run free. Tim explained there were also double gates so no dog could escape.

Selectman Musmanno questioned if there were any changes in elevation. Gary, Tim's father, responded the only change was in the fence elevation around the trestle.

Selectman Rozanski asked about Indian artifacts. Tim knew Indians used to live there, and added there would be historical information available at the information area. He noted other Town information could be posted there as well.

Selectman O'Leary suggested making contact with Ron Sansoucy of Village Auto.

Selectman Dziczek inquired about the area being surveyed, or permits, or the fence viewer. Gary Dumas stated Tim has gone to everyone except the Building Inspector, but noted there was a buffer area between the fence of Village Auto and theirs that pedestrians could utilize.

Selectman Musmanno asked about the fence setback. He was told the fence was inside the tree line, sufficiently far away from Village Street.

Selectman Williams asked if anyone in the audience wanted to speak. Mary Ellen Lavenberg voiced her support, and as a dog owner, commended the project and hoped the Board would approve it.

Selectman Rozanski volunteered to act as liaison to Tim.

Selectman Dziczek asked about the wintertime and access into the fenced-in area. Gary said the Park Department may do the driveway, but if not, there were others who would volunteer to clear the gate areas.

Selectman Rozanski asked Tim what he required for the project, and Tim indicated it was the Chairman's signature to submit the project to the Council.

7:30 p.m. – The tax classification public hearing notice was read by Selectman O'Leary. All the members of the Board of Assessors (John Creighton, Harry Johnson and Mary Ellen Lavenberg) were in attendance, along with Administrative Assessor Paul Keefe.

Mr. Creighton requested that the Board continue the public hearing to December 17<sup>th</sup>. Mr. Keefe explained that the figures are still at the State waiting final

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DECEMBER 3, 2001

approval. Presentation documents from FY'2001 were in the Board's packet to provide them with information similar to what would be presented on the 17<sup>th</sup>. Mr. Keefe noted that the Assessors would probably be recommending a tax factor of one, a single tax rate.

Selectman Musmanno noted he would not be at the Selectmen's meeting on December 17<sup>th</sup>.

Selectman Rozanski moved to continue the tax classification hearing to December 17<sup>th</sup> at 7:15 p.m.; Selectman Williams seconded; all aye.

5. Report of the Town Administrator.

- Mr. Balukonis passed out a schedule indicating the progress of the high school project. He noted, however, that the Municipal Building Committee had voted last week that two addendum changes were significant enough to delay the bid opening by two weeks. The schedule being shown reflected those changes and the new bid opening dates, which was better to do now than later.
- Mr. Balukonis said he spoke to State Representative Paul Loscocco about the Town's state aid. He had indicated there was no firm estimate yet, but there were changes in Chapter 70, the lottery money, Chapter 81, etc. It looked like Chapter 70 may have increased, but Chapter 81 may have decreased. When the cherry sheets are issued, the Town will get their final budget figures for fiscal 2002.
- The Board signed the letter to the Elm Club relative to their public hearing, and also the letter to liquor license holders about taking precautions when serving patrons.

6. Reports of the Selectmen.

- Selectman Rozanski said she and Mr. Balukonis had attended a conference on terrorism today in Boxborough covering from understanding the terrorist to coming up with an integrated response. They will both go over the material and disseminate some information for Board members, but were left with the charge of looking at what could be a threat and a target.
- Selectman Dziczek reported that the Community Preservation Committee was meeting the next night in Sanford Hall at 7:30 p.m. He noted this would be their third meeting, and were looking for various documents, including a map of the Town, while working with the Assessors office and Mr. Balukonis.

MINUTES OF THE SELECTMEN'S MEETING  
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- Selectman O'Leary brought up the Affordable Housing lottery, and requested if Mr. Balukonis could try and make contact with the marketing representative for the lottery. She felt there was bad chemistry between the representative and the committee. She knew a lot of people were calling looking for information, such as the rescheduled date for the lottery drawing. Selectman O'Leary was aware that the Town Administrator could function in this capacity if the committee could not.

Selectman Williams agreed it would be helpful if Mr. Balukonis could meet with her and bring information to the table.

Selectman Musmanno read from a prepared text his concerns that the Highway Department is not utilizing signs showing metric units for all new installations, and asked Board members to consider discussion of this issue at the next meeting. Selectman Williams did not have a problem with that.

Selectman Musmanno asked Mr. Balukonis if he had received a response from Town Counsel yet on the suit being filed noting the deadline was coming up; he had not.

- Selectman Rozanski brought up the query from Town Counsel if Board members had any questions about the Costello/Shelter Island case. She asked if Town Counsel could meet with the Board on open legal issues, and Selectman Williams agreed they could try for next week and discuss just pending items that he could talk about, in whatever format is best.

7. Report of the Chairman.

- Selectman Williams said he had received a letter dated November 20<sup>th</sup> from the Inspector General's office stating that Mr. Balukonis had completed the public contract overview seminar through MCPPO, and was eligible to take the other seminars. He was congratulated.

8. Discussion items.

- Selectman Williams brought up the consolidated goals statement Mr. Balukonis had prepared, outlining five areas of concentration, that being:
  - fiscal policy and planning
  - infrastructure development
  - improved communications
  - growth management
  - human resources development

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 3, 2001

Some additional comments were made by Board members on the five areas:

- maintenance of new roads was important and additional funding needed to be in place for that.
- capital plan on roads.
- cost benefit analysis on mailing town meeting warrants.
- having the business community come in to discuss mixed use and open space.
- asking the Planning Board to keep an eye on things as well as thinking of future planning.
- thinking of ways to help overworked boards.
- asking the Planning Board to name their top two goals. Mr. Balukonis believed the Planning Board has two main charges: subdivisions and revisions to the Zoning By-law as prescribed by statute.
- some control on development.
- more frequent town official updates.
- public forums on "streetscapes" for attractiveness in areas.
- adding "other projects by MBC" to the support of construction efforts.
- ensuring all public facilities are handicapped accessible.
- adding "different times" for alternative Selectmen's meetings.
- having the pay and classification study updated, more than completed.
- show the relationship of departments with one another on a chart.

Selectman Musmanno said he would still like to see the mission, goals and objectives scenarios as he believed greater things would live beyond this Board. If the time frame being suggested is just 18-24 months, fine, but he thought the Board wanted to look farther down the road. A periodic re-evaluation would be good.

Selectman Williams felt this was just a start, and could be reviewed in the summer with the hopes of completing the review by fall, and adding some dates.

Selectman Rozanski agreed the five categories wouldn't change, but the activities could. Possibly, the Board should look at a timeline, with some long-term goals as well.

Selectman Dziczek felt most of these goals would be eliminated by then. Most of these goals were ideas from six months ago. The Master Plan is the best idea and a great document.

Selectman Williams agreed, but suggested one of the Board's goals should be to do what the Selectmen should be doing according to the Master Plan.

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Selectman O'Leary believed that the five categories provide the framework, but was more concerned with short-term goals being met before long-term goals. She noted that the Housing Authority has a five-year plan, and part of what is included in the plan are the goals of the Master Plan as it pertains to them.

Selectman Williams noted the goals that are established are helpful when doing Mr. Balukonis' evaluation.

9. Action items.

- The Conroy Development site plan extension was brought up. It was noted that letters had been received from the Planning Board and the Building Inspector, and no problems were seen by either. Selectman Musmanno moved that a one-year extension to January 29, 2003 be granted to Conroy Development; Selectman Rozanski seconded; all aye.

10. Communications/correspondence/informational items – none.

11. Dates to remember: Selectmen's next meetings on December 10<sup>th</sup>, and 17<sup>th</sup> at 7:00 p.m.

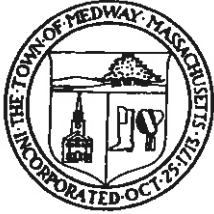
12. Executive session – none required.

Respectively submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

12/17/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL – TOWN HALL**  
**NOVEMBER 26, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes – none.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Selectmen and Town Administrator goals.
  - Elm Club liquor policy violation.
9. Action items.
  - Sign liquor license renewal applications for 2002.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Selectmen's next meetings – December 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 31<sup>st</sup> at 7:00 p.m.
  - Ethics Seminar – November 28<sup>th</sup> (employees-2 p.m.); (elected/appointed officials-7 p.m.)
12. Executive session – if required.

\*all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*cc: A.B. Jan*



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 26, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams opened the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Williams moved approval of warrant #22 in the amount of \$908,166.70; Selectman Dziczek seconded; all aye.

2. Approval of minutes – none.

3. Public comments – none.

4. Town official updates – none.

5. Report of the Town Administrator.

- Mr. Balukonis stated the revenue meeting was held last Tuesday. Budgets formats are out, but the outlook is pessimistic. During the first week in December the 2002 revenue picture should be known, at the same time as most of the budgets for 2003 will be coming in. Local receipts should be similar to this year.
- Mr. Balukonis informed the Board that the Fire Chief was successful in securing a grant for DEM in the amount of \$4,400 for miscellaneous supplies and equipment for forest fire prevention mainly.
- Mr. Balukonis said there would be a terrorism seminar on December 3<sup>rd</sup>, which he would be attending.
- Mr. Balukonis asked that the Board approve a request to extend the Ready Resource grant until June 30, 2002. Selectman Dziczek moved approval; Selectman Rozanski seconded; all aye.
- Mr. Balukonis brought up the Selectmen's meetings during the holiday season. Selectman Rozanski moved that the Board of Selectmen cancel their meetings on December 24<sup>th</sup> and 31<sup>st</sup>; Selectman O'Leary seconded; all aye.
- Mr. Balukonis stated he had reached agreement with the employees union in the hours worked on Christmas Eve and New Years Eve. In the interest of all parties, employees would work until 1:00 p.m. on Christmas Eve and until 3:00 p.m. on New Years Eve, taking the time off with either vacation, personal leave, or comp time. The difference

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 26, 2001

of the three hours usually worked Monday evenings, would be made up by working on the following Friday a full day. Selectman Williams noted this was done under the Town Administrator's initiative.

6. Reports of the Board of Selectmen.

- Selectman Rozanski said she would be going to Boston on December 11<sup>th</sup> regarding the budget.
- Selectman Musmanno had no report.
- Selectman O'Leary stated that a new affordable housing lottery date had not been set yet.
- Selectman Dziczek noted the revenue meeting as well. He also said that the Community Preservation Committee had met last week, and they are all starting to talk and gather information.

7. Report of the Chairman.

- Selectman Williams spoke of the holiday parade which was held on Saturday thanking everyone for all their hard work, and how great the fireworks at Choate Park were.

8. Discussion items.

- Selectman Williams asked that the Board hold over discussion of goals until next week, and asked Board members to see how the Town Administrator's goals and the Selectman's goals correlate.
- The Elm Club liquor policy violation was brought up. Selectman Williams went over the issues that were brought up at last week's meeting. It was noted that a letter had been received from Barbara Junkins, owner of the Elm Club reiterating their case. A further report from Lt. Malo was also received detailing other incidents involving Mrs. Lemire.

The following Findings of Fact were presented:

- Selectman Musmanno: Mrs. Lemire was visibly impaired on the evening of September 12, 2001; it was not disputed she was having difficulty going to her vehicle; Selectman Williams seconded. Selectman Rozanski moved to amend that Mrs. Lemire was observed by witnesses willing to state that; there was no second. All aye on the original motion.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 26, 2001

- Selectman Musmanno: The Elm Club had previously exercised special steps in the treatment of Mrs. Lemire; Selectman Williams seconded; all aye.
- Selectman Musmanno: The Elm Club was unaware of any medical conditions which may have exacerbated Mrs. Lemire's condition; Selectman Williams seconded; all aye.
- Selectman Rozanski: Mrs. Lemire was over the age of 21; there was no second.
- Selectman Rozanski: There was no citation issued by the Police Department that Mrs. Lemire was intoxicated; Selectman Dziczek seconded; all aye.
- Selectman Musmanno: That the contents of the Police reports were undisputed, except for the discussion of several shots of scotch being ingested; Selectman Rozanski seconded. Selectman Musmanno then amended the motion by striking the exception; all aye.
- Selectman Williams: Moved that the Board of Selectmen take no action against the Elm Club; Selectman Musmanno seconded.

Selectman Rozanski elaborated in that there was no legal standing – Mrs. Lemire was over the age of 21 and no citation for intoxication. Selectman Williams added that the Elm Club has no record of serving to intoxicated people. Selectman O'Leary suggested referring the family to a social worker in Franklin. Selectman Dziczek suggested sending a letter to those who serve alcohol in Medway reminding them of not serving people who may appear to have had too much too drink. The Board agreed with his suggestion.

Back to Selectman Williams' motion to take no action against the Elm Club, all aye.

9. Action items.

- Selectman Rozanski moved that the Board sign the liquor renewal applications of all fifteen Medway applicants; Selectman Dziczek seconded; all aye.

10. Communications/correspondence/informational items.

- Selectman Williams reviewed some of the correspondence that the Selectmen had received in their packets.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 26, 2001

To Selectman Williams' question on how negotiations were going with the employees' union, Mr. Balukonis stated they were talking and meeting about every other week.

11. Dates to remember:

- Selectmen's meetings: December 3<sup>rd</sup>, 10<sup>th</sup> and 17<sup>th</sup>; ethics seminar: November 28<sup>th</sup>.

12. Executive session – none required.

7:50 p.m. – Selectman Dziczek moved adjournment; Selectman O'Leary seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

12/3/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL – TOWN HALL**  
**NOVEMBER 19, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of October 29, 2001.
  - Regular meeting minutes of November 5, 2001.
3. Public comments.
4. Town official updates.

7:15 p.m. – Public Hearing.

Re: Elm Club – liquor policy violation.

7:45 p.m. – Ken Banczewicz.

Re: permanent sign for Cybex.

8:00 p.m. – Municipal Building Committee.

Re: update on high school project.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
  - a. Vote to approve one-day live entertainment license for Sabina Doyle's for 11/21/01.
  - b. Vote to approve extension of site plan approval for Conroy Development, 51 Alder Street, to 1/29/03 (have letter requesting same).
  - c. Vote to approve solicitor's permit for Executive Advertising on behalf of Coach's Restaurant in Milford (have letter requesting same).
  - d. Vote to approve one-day all alcoholic license for St. Joseph Parish for 11/30/01.
  - e. Vote to accept Parcel B on Village Street on behalf of the ConCom for the Town.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Selectmen's next meetings – November 26<sup>th</sup>; December 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 31<sup>st</sup> at 7:00 p.m.
  - Revenue meeting with departments/boards – November 20<sup>th</sup> at 7:00 p.m. in Sanford Hall.
  - Ethics Seminar – November 28<sup>th</sup> (employees-2 p.m.); (elected/appointed officials-7 p.m.)
  - All budgets due to Town Administrator – December 3<sup>rd</sup>.
12. Executive session – if required.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

*cc: ALB-T*

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Musmanno moved to approve warrant #21 in the amount of \$693,707.50; Selectman Dziczek seconded; all aye.

2. Approval of minutes.

- Selectman Musmanno moved approval of the regular meeting minutes of October 29, 2001 as amended; Selectman Dziczek seconded; all aye.

- Selectman Dziczek moved approval of the regular meeting minutes of November 5, 2001; Selectman O'Leary seconded; all aye.

3. Public comments – none.

4. Town official updates – none.

5. Report of the Town Administrator – later on.

6. Reports of the Selectmen.

- Selectman Musmanno mentioned to the Board that the Zoning Board of Appeals had received a summons, and believed Town Counsel would now be notified.

- Selectman Dziczek reported on sports activities in the Town, and that the Girls Volleyball Team had won the State Championship, and that the Girls Soccer Team had won the State title as well, shared with the Town of Wayland.

- Selectman O'Leary and Rozanski would report later on.

7. Report of the Chairman.

- Selectman Williams stated that the 9<sup>th</sup> annual Holiday Parade would be held on Saturday, November 24<sup>th</sup> from the VFW down Route 109, which would be closed to traffic, to Choate Park for the tree lighting ceremony and fireworks.

MINUTES OF THE SELECTMEN'S MEETING  
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7:15 p.m. – Selectman Williams opened the public hearing relative to an alleged liquor policy violation by the Elm Club of serving an intoxicated person. Present were Lt. Malo, owner Barbara Junkins, bartender Bob Williamson, and Catherine and Maurice Lemire.

Lt. Malo read portions of Sgt. Rojee's report wherein two witnesses gave the license plate number of the vehicle that left the scene of a hit and run accident. He noted that the charges of operating a vehicle as to endanger, and leaving the scene of an accident were still pending and had not been decided yet. According to the report, Sgt. Rojee went to the operator's house and spoke to the son and daughter-in-law who said the mother had just got home and was put to bed. Damage was done by the operator to their lawn as well. The son and daughter-in-law, Catherine and Maurice Lemire, were angry that the mother frequents the Elm Club and was allowed to drive away while intoxicated. The Lemires called the Elm Club the next day and complained, and were told that Mr. Williamson had helped Mrs. Lemire to her car after leaving the club. Lt. Malo told the Board that, after reviewing the police report and understanding that she has come home like this in the past, he felt the Board of Selectman should determine if there was a liquor policy violation against the Elm Club.

Ms. Junkins and Mr. Williamson did not have any questions to pose to Lt. Malo; however, Ms. Junkins stated that she was not at the Club that evening, but had a 21-year relationship with Mrs. Lemire. She is a member of their Club, and contrary to what the police report said, told the Board that Mrs. Lemire does not drink scotch, only screwdrivers.

Mr. Williamson, as the bartender, agreed saying that she had 3 screwdrivers in 3 hours, and was not taken to her car. He noted they were weak drinks, and occasionally, gave her just orange juice even when she had asked for a drink. He did ask her if she was okay as her breathing seemed a little labored, and she said she was fine, noting they had had few problems with her over the 21 years, and is overly careful with her. He did say he went to her car just because he was concerned with the breathing, but she did not have slurred speech. He told her he could get her a ride or call the house, but she said she was fine, and he went back to the club. Mr. Williamson said she does struggle to get around, but for 10 years, has come by herself, and this was the first time this kind of situation had happened.

Selectman Rozanski asked Mr. Williamson if he believed she was intoxicated; he said no. Selectman Rozanski inquired when would he have called the Police; he said if her speech had been slurred.

Selectman Williams asked if she was on any medications; he was not aware of any.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

Selectman Musmanno inquired why he gave her special treatment; he said he had known her a long time.

Selectman O'Leary commented, if Mr. Williamson is serving just orange juice, then he must be concerned she was drinking too much; he agreed.

Selectman Dziczek asked how many people were there on that Wednesday evening; Mr. Williams noted it was crowded, a lot of talking going on. Selectman Dziczek asked if anyone else observed Mrs. Lemire had difficulty breathing; he could not recall.

Selectman Rozanski noted that Sgt. Rojee indicated in his report Mrs. Lemire had told him she had several scotches at the Elm Club, and asked why she would say that; he did not know.

Selectman O'Leary said it did not make sense that Mrs. Lemire told Sgt. Rojee that she did not recall the events of Wednesday evening, but remembered she had had scotches; it didn't compute.

Selectman Dziczek asked Lt. Malo if Mrs. Lemire had been involved in other accidents; he stated no convictions but two accidents in 1991 and 1998.

With regard to Mrs. Lemire coming into the station, Lt. Malo was not aware that she had or that she had filed a report.

Catherine Lemire, the daughter-in-law, stated she went to the Police Station with her sister-in-law the next morning and filed a complaint against the Elm Club. She said she has fallen down before and been taken home. She believed she was probably at the American Legion first before going on too the Elm Club. Ms. Lemire said her mother-in-law was a diabetic. Mr. Williamson stated he was not aware of any medical condition.

Selectman Dziczek made a motion to close the hearing and deliberate; Selectman Musmanno seconded. Selectman Rozanski wanted to first find out if Mrs. Lemire had filed a report the morning after the incident. Selectman Musmanno amended Selectman Dziczek's motion to close the hearing, but allow written statements to be submitted and to keep the record open until Noon on November 23<sup>rd</sup>; Selectman Dziczek seconded the amendment; all aye 5-0-0.

7:55 p.m. – Ken Banczewicz of Cybex International came to speak to the Board concerning his request to have a temporary sign made permanent at the intersection of Milford Street and Trotter Drive. Mr. Balukonis verified that the building application had been submitted to the Building Inspector during the appropriate timeframe.

Mr. Banczewicz stated they had an international event scheduled in September for which the sign was requested. The event was later rescheduled, however, they



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

realized that it might be appropriate to retain the sign. He noted it was the entrance to the industrial park and a proper corporate image. Mr. Banczewicz stated he really wanted a directory sign for all the businesses in the park, but had not yet been able to convince the business owners that this was the way to go. He would rather prefer that directory than just his own sign.

Selectman Rozanski thought there might be a problem with the location of the sign, and in the possibility of the intersection being improved in the future. Mr. Banczewicz was aware of, and working on, the plans involving the intersection.

Selectman O'Leary did not mind the Cybex sign until a directory sign could be installed.

Selectman Dzikczek did not accept Mr. Banczewicz's explanation that it was a temporary sign, not at that expense. It was too big a sign for one company to have anyway, and if the intersection is changed, the sign would have to be moved. He was not in opposition to a sign, and would endorse it, when a mutual sign is drawn up with all the other companies listed.

Mr. Banczewicz stated that the event drove having the sign made up, and hopes it can be used elsewhere. The cost was minimal to them, but he hopes to present new ideas to the other businesses there for their approval. Hopes were to have a new proposal early next year to bring to the Town.

Paul DeSimone of the Industrial Development Commission was present, and noted that there were two projects going on at the same time in that area: the sewer project, and the finishing of the intersection at Alder Street. The IDC could possibly prepare a grant, for not more than one million dollars, which might be secured in the Spring and be under construction mid-Summer. With sewer in place, it will be a class A industrial park. The question is what people can gain from the tax base and support it.

Selectman Dzikczek asked that Mr. Banczewicz speak to those that live near the industrial park, including the residents in the Hidden Acres subdivision and Dick Williams of Milford Street.

Selectman Rozanski moved to allow the Cybex temporary sign to remain until April 1, 2002 at which time a proposal would be submitted for a directory listing for the businesses in the industrial park; Selectman O'Leary seconded.

Selectman Musmanno felt this directory would be more scrutinized than a temporary sign, and would look for size, location, etc. He was opposed to the existing one being in place, and believed that the impetus to have a cooperative sign is not there if they keep this sign, and would like it removed as soon as possible.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

Selectman Rozanski stated she had wanted to see a sign to the industrial park, and felt the opposite from Selectman Musmanno on the impetus.

Selectman Dziczek was not opposed to a plan being proposed in 30 days if they were already working on it, and a need for additional time could be asked from the Town Administrator.

Mr. Balukonis said there was a discussion three weeks ago on the subject of temporary signs on Town property, and permits could be issued on an annual basis. There was an opportunity there to do so.

Selectman Dziczek moved to amend the motion and extend the temporary sign permit for an additional 30 days, with the intention of Cybex making a proposal to the Selectmen by December 19<sup>th</sup>. Selectman Musmanno stated they would be going from temporary, to an extension, and not enough time to work up plans. Selectman Rozanski said this did not preclude the Town Administrator from bringing something forward, but Selectman Musmanno stated that was true as well if they deny. Selectman Rozanski reminded Board members that Cybex had given easements to the Town for the industrial park among other things. Selectman Musmanno appreciated Cybex's efforts, but if another sign goes up, this one can be taken down. There was no second on Selectman Dziczek's motion.

At this point, Selectman Dziczek went back to the idea of a proposal from the Town Administrator relative to signs on Town property. With this, Selectman Williams called for a vote on the temporary sign remaining until April 1, 2002; Selectman Rozanski seconded. The vote in favor: Selectmen Williams, Rozanski and O'Leary; against: Selectmen Dziczek and Musmanno; motion carries 3-2-0.

8:30 p.m. – Jim Hoodlet came to speak to the Board relative to several issues involving the Municipal Building Committee. First of all, on November 14<sup>th</sup>, the Municipal Building Committee voted to rotate the chairmanship of the Committee. He is chairman and Frank Varrichione is Vice-Chairman. They want to make sure they are in position for the project going well, and have met with the Town Administrator and the Town Accountant.

Secondly, regarding a provisional town meeting date, according to the schedule, they plan to open bids on December 18<sup>th</sup>, and then have 30 days to sign the contract. Earlier, they had suggested a town meeting on January 7<sup>th</sup>. They would like to keep that date open, along with January 14<sup>th</sup>. Selectman Rozanski thought they could sign the contract conditional on the additional appropriation, but suggested the Mr. Balukonis check with Town Counsel. Selectman Williams asked if another ballot question was required. Mr. Balukonis stated that the ballot question did not include a dollar figure, so the DOR would allow it if the original scope of the project remains the same, but you can do it only once.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

In reviewing the proposed costs, Mr. Hoodlet felt they would be able to do everything according to plan except the turf, without changing the design or educational format, and still being very efficient. Occupancy is being scheduled for January 2004. Selectman O'Leary expressed gratitude to Mr. Hoodlet and the Committee for all their hard work. Selectmen Rozanski and Dziczek just asked the Committee to look at energy and maintenance costs during the project.

Mr. Balukonis stated that they had to seek proposals from four contacted sources for an independent structural engineering review, and were recommending Gale Associates in the amount of \$9,500. The review was expected to be completed in two weeks. Selectman Rozanski moved to award the engineering review contract to Gale Associates; Selectman Dziczek seconded; all aye.

5. Back to the report of the Town Administrator.

- Mr. Balukonis stated he had two administrative changes being implemented in the next few weeks. First, there would be change in the payroll procedure as requested by department heads. He hoped to change payroll to every other week beginning on January 1<sup>st</sup>. Further discussions would be held before it was finalized as part of impact bargaining.
- Secondly, they are trying to centralize payments through the Treasurer/Collector's office. At this time, payments are being made to the departments for various matters. Both the Treasurer and the Accountant are in favor of this procedure, with a start date of January 1<sup>st</sup>. Small payments are not included in this process. Both Selectmen Rozanski and Dziczek recalled this was always recommended by the auditors. Selectman Rozanski asked Mr. Balukonis if he would formalize a procedure, which he said he would do, and would look to the Board of Selectmen for input.
- Third, during the budgeting process last year, some complaints on the format had been received. Mr. Balukonis stated he had simplified the forms allowing a narrative explanation for any differences in expenses and any increase in staffing. If there is no narrative, it is assumed there is no change. Forms would be going to departments in about three weeks and back to him in December. He was recommending level services, which means departments have to justify their budget increases.

Selectman Williams commented that games were played last year, and they were confused on purpose. Selectman Dziczek said that departments were told they could spend their appropriation in whatever way they wanted for the year, between salary and expenses.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

Selectman Rozanski noted that, at the annual town meeting, the Moderator stipulated the one-line vote was for this year only, but could be considered a policy. She still felt there should be two lines, but would like to defer for a recommendation from the Town Administrator. Selectman Williams believed it was an issue of flexibility vs. control, and the Board could discuss this as an agenda item. Again, Selectman Dziczek felt issues of new employees should be brought up at town meeting. Selectman Williams also wanted to discuss any need for an override and how much would be involved.

6. Back to the reports of the Selectmen.

- Selectman O'Leary stated the affordable housing lottery had been scheduled for Friday, but some of the families rejected caused some questions to be asked. The realtor will be doing research on the applications and come up with a new date since she sets it. Selectman O'Leary noted the marketing specialist is the agent for the affordable housing committee and the builder.
- Selectman Rozanski again reiterated no budget yet for 2002, but hopefully soon. With regard to Chapter 90, the cities and towns would not be receiving the additional \$50 million that was being proposed. Lottery money is done. There might be a possible increase in health insurance. Recommendations are being made to look at a level-funded budget for 2003. With regard to Executive Order 418, she understood there was to be a workshop on November 30<sup>th</sup> and encouraged Mr. Balukonis to attend. She was also aware of an emergency preparedness seminar being given in Marlboro that she wanted to go to on November 28th. Selectman O'Leary said she would like to go too.

8. Discussion items – none.

9. Action items.

- a. A request had been received this day for Rich Cassidy to sell Christmas trees at Brooke's LongShot starting November 23<sup>rd</sup> through December 24<sup>th</sup> from 10 a.m. to 8:00 p.m., with a portion of the profits being donated to St. Joseph Church. Selectman Rozanski moved approval; Selectman O'Leary seconded; all aye.
- b. A request had been received from Sabina Doyle's for a one-day live entertainment license for Wednesday, November 21<sup>st</sup> from 8:00 p.m. until midnight. Selectman Musmanno moved approval; Selectman Rozanski seconded; all aye.
- c. The Board had received a request from Conroy Development for a one-year extension on their site plan on Alder Street approved by the Board on

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 19, 2001

January 29<sup>th</sup>. Selectman Rozanski moved approval; Selectman Williams seconded.

Selectman Musmanno suggested getting input from the Planning Board to see if they had a problem with the extension. Selectman Rozanski added they need to know from the Building Inspector if construction had started. Selectman Williams then suggested they delay rendering a decision and to take no action at this time, and to formally ask to hear from the Planning Board and the Building Inspector regarding the Board's concerns. Selectman Dziczek suggested a phone call to both departments in the future.

- d. The Board had received a request for a solicitor's permit from Executive Advertising on behalf of Coach's Restaurant in Milford to go door-to-door on a promotion. Selectman Musmanno moved approval of the solicitor's permit from November 20<sup>th</sup> through December 4<sup>th</sup> from 8 a.m. to 4 p.m.; Selectman Rozanski seconded; all aye.
- e. A request for a one-ay all alcoholic license for St. Joseph Parish for November 30<sup>th</sup> from 6:00 p.m. to midnight was received. Selectman Rozanski moved approval; Selectman Dziczek seconded; all aye.
- f. The original recorded deed of Parcel B from Scott Power on Village Street was received by the Board, to now be accepted as a gift on behalf of the ConCom for the Town. Selectman Rozanski moved approval; Selectman Dziczek seconded; all aye.

10. Communications/correspondence/informational items.

- Selectman Dziczek mentioned to the Board that Mark Winer was elected chairman of the Community Preservation Committee with Mark Cerel as Vice-Chairman. Their next meeting was the next evening, November 20<sup>th</sup>.

11. Dates to remember: Selectmen's meetings – November 26<sup>th</sup>, December 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 31<sup>st</sup>; revenue meeting – November 20<sup>th</sup>; ethics seminars – November 28<sup>th</sup>; budgets due – December 3<sup>rd</sup>.

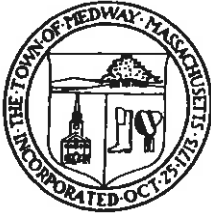
12. Executive session – none required.

9:35 p.m. – Selectman Musmanno moved adjournment; Selectman O'Leary seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
12/3/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**ROOM 111-MEDWAY HIGH SCHOOL**  
**NOVEMBER 5, 2001**

6:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.  
Regular meeting minutes of October 22, 2001.
3. Public comments.
4. Town official updates.

6:15 p.m. – Public Hearing.

Re: Sunday Package Store Opening Thanksgiving-New Years.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
  - a. Vote to accept gift of backstop for the Town at Idylbrook.
10. Communications/correspondence/informational items.
11. Dates to remember:  
Selectmen's next meetings – November 19<sup>th</sup> and 26<sup>th</sup> at 7:00 p.m.
12. Executive session – if required.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

*cc: ALB Jan*

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 5, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

6:08 p.m. – Selectman Williams opened the meeting in Room 111 of Medway High School.

1. Approve and sign warrant.

Selectman Dziczek moved to approve warrant #19 in the amount of \$1,089,179.54; Selectman O'Leary seconded; all aye.

2. Approval of minutes.

Selectman Rozanski moved to approve the regular meeting minutes of October 22<sup>nd</sup>; Selectman Musmanno seconded; all aye.

3. Public comments – none.

4. Town official updates – none.

9. Action items.

- a. Selectman Dziczek moved to approve the request of the Medway Lions to hold their annual Christmas tree sale at the Medway Shopping Center; and also moved to approve the one-day all alcoholic liquor license for St. Joseph Parish on November 17<sup>th</sup> from 6:30 p.m. to midnight; Selectman O'Leary seconded; all aye. Selectman Rozanski inquired why no fee is charged for the Lions' sale. Mr. Balukonis understood it has never been done, with Selectman Williams indicating it would be waived anyway.
- b. Selectman Dziczek moved that the Town accept a gift of the purchase and installation of a backstop being donated by Medway Youth Baseball at Idylbrook Park; Selectman O'Leary seconded. Mr. Balukonis indicated nothing had been done yet until the Selectmen accepted the gift. Selectman O'Leary asked that a thank you be sent to them. Selectman Rozanski asked if there was a permit fee. Mr. Balukonis said it was not a structure and, therefore, does not require a permit. Selectman Williams noted the valuation of the donation at \$9,600. All aye on the motion.

6:15 p.m. – Selectman Williams opened the public hearing on Sunday package store openings from Thanksgiving through New Years. It was noted there have been no problems in the past. Selectman Rozanski moved to close the hearing; Selectman Musmanno seconded; all aye. Selectman Rozanski moved to allow the package stores to be open on Sundays commencing with November 18<sup>th</sup> through December 30<sup>th</sup> from Noon to 9:00 p.m.; Selectman Dziczek seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 5, 2001

5. Report of the Town Administrator – none.

6. Reports of the Selectmen.

- Selectman Dziczek provided soccer and volleyball updates.

- Selectman Musmanno stated he was present at the FinCom meeting held last week, but since there was no quorum, it was just a “friendly gathering”. They did state they would like the Selectmen to vote on article #8 of tonight’s special town meeting warrant.

Selectman Williams was not going to bring it up, but since Selectman Musmanno did, asked what the Board wished to do. Selectman Dziczek moved that the Board recommend to the FinCom their support of article #8; Selectman Musmanno seconded. Selectman Rozanski stated that when the FinCom makes a recommendation at town meeting, they usually look over and review the articles for an impact to the Town, and asked if this had been done. Selectman Musmanno did not believe they had viewed the article from that point, however, commented if they base their recommendations on certain criteria, they shouldn’t be looking to the Board for a recommendation.

Selectman Dziczek believed whoever stands up at town meeting from FinCom, will provide as much information as is available to them. He noted they were receptive to the article at the end of their “friendly gathering”.

The vote on the article: Selectmen Dziczek and Musmanno – in favor; Selectmen O’Leary, Rozanski and Williams – against. The Board were not in support of article #8. Selectman Dziczek went to pass on the Board’s vote to the FinCom.

Selectman Musmanno still felt it was appropriate for the Town Administrator to be allowed to explain why he recommended the article be on the warrant. Selectmen O’Leary and Rozanski agreed the people should decide. Selectman Williams said he would recommend that Mr. Balukonis be allowed to speak at will. Mr. Balukonis said he would only touch upon #1 and #2 of notes he provided to the Board.

- Selectman Rozanski said she participated in a telephone conference on budgets, and at this point, a \$1.4 billion shortfall year was being foreseen. She indicated the Governor was thinking of taking \$300 million from stabilization and \$200 million from the tobacco trust, but \$600 million would still have to be cut from the budget. The good news was that there was 10-13% in reserves.



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 5, 2001

Selectman Rozanski further stated that when the legislature passes the budget, it has to be a balanced budget. She asked Mr. Balukonis to let her know what the balance was in free cash and in stabilization. She indicated that additional monies to cities and towns did not look good. Selectman Dziczek felt departments and boards can be notified as soon as the indication is given on budgets letting them know that they are going to have to cut back on spending, and roll over what can wait to the following year.

Selectman O'Leary had none.

7. Report of the Chairman – none.
8. Discussion items – none.
9. Action items – done.
10. Communications/correspondence/informational items – none.
11. Dates to remember.

Selectman Williams stated the Board's next meeting was November 19<sup>th</sup>, and thanked Mr. Balukonis for the sources of funds he provided them.

Selectman Williams brought up the letter in the Board's packet from My One Wish indicating they would not support the November 11<sup>th</sup> event being proposed by Bill LeBlanc. Selectman O'Leary asked the status of the fundraiser. Mr. Balukonis noted it seems to start and stop on a daily basis, and it could change.

Selectman Williams reminded the Board about the Veterans Day ceremony and lunch on November 11<sup>th</sup>.

Selectman Rozanski just asked Mr. Balukonis why article 15 was being recommended for dismissal. Mr. Balukonis believed the cost included in the article should be borne by the insurance company and would be pursuing that avenue. If not successful, the bill would then be on a future town meeting warrant.

12. Executive session – none required.

6:40 p.m. – Selectman Musmanno moved the meeting be adjourned to the special town meeting in the auditorium; Selectman Dziczek seconded; all aye.

Respectfully submitted,  
M. J. Fredette, Administrative Services Assistant

APPROVED

mj

11/19/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**OCTOBER 29, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.  
Regular meeting minutes of October 15, 2001.
3. Public comments.
4. Town official updates.

7:15 p.m. – Dog Hearing – Ben and Bandit  
Owners: Greg & Paula Finigan of 20 Maple Street.

8:00 p.m. – Public Forum on Hidden Acres – Ch. 61A notice of intent.

8:30 p.m. – Officer Donald Grimes and Sgt. Bob Saleski  
Medway Police Association

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - a. Selectmen and Town Administrator goals.
9. Action items.
  - a. Sign dog hearing letter to Ruthie Wallace.
  - b. Sign proclamation for Veterans Day.
  - c. Chairman sign letter to EOCD for quarterly report on Alder Street/Trotter Drive.
  - d. Chairman to sign CH235 Contract for Mass. Highway for Chapter 90 funding.
  - e. Vote to grant extension for temporary sign for Cybex.
10. Communications/correspondence/informational items.
  - a. Ethics Seminar on November 28<sup>th</sup>.
11. Dates to remember:  
Selectmen's next meetings – November 5<sup>th</sup> at 6:00 p.m. Room 111 of Medway High School; November 19<sup>th</sup> and 26<sup>th</sup> at 7:00 p.m.  
Special Town Meeting – November 5<sup>th</sup> at 7:00 p.m.
12. Executive session – if required.

Please note: Selectman O'Leary will not be in attendance.

\*all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: ALB, Jan

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman Mary O'Leary was not in attendance.

7:00 p.m. – Selectman Williams opened the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Rozanski moved approval of warrant #18 in the amount of \$842,557.30; Selectman Dziczek seconded; all aye.

2. To be brought up later.

3. Public comments.

- Bill LeBlanc asked to speak to the Board concerning his proposed fundraiser scheduled for November 11<sup>th</sup> to benefit My One Wish. He stated he had done 95% of what the Board had requested, and now asked that the Selectmen acknowledge Straight From The Heart as a committee. He was looking for help with insurance from the Town as his name was on the fundraiser at this time. He was going to the insurance company the next day to put \$88 down on a binder. Mr. LeBlanc asked for volunteers and for the Board to take pro-active steps in his behalf. At this point, he was looking to display two signs: one approved at the Cassidy property on the corner of Holliston and Main, and the other to be at the High School waiting for approval from Dr. Bettencourt. Per the Board's request, he would put together a list of all those helping him out.

Selectman Williams noted the Town Administrator's letter of October 23<sup>rd</sup> to Mr. LeBlanc outlining the Town's requirements. He asked out the police details. Mr. LeBlanc stated he had a letter from Sgt. Saleski indicating the three-person police detail was sufficient. He reiterated that his payment for the police and janitors would come off the top when the monies come in, and was unsure if any of them would waive their charges. With regard to rubbish, he had contracted with Giant Industries who would donate the use of a dumpster to be on site the 10<sup>th</sup> and removed on the 11<sup>th</sup>. Selectman Williams asked that he confirm all of his information with School personnel. Mr. LeBlanc said he would send a letter to Dr. Bettencourt the next day, and would make sure he went over the grounds beforehand and document everything as to landscaping, although he had already spoken to Jim McClean. Mr. LeBlanc also noted to speaking to Bob Wilson of the Boy Scouts about the boys picking up afterwards, and is still waiting to hear from others.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

Selectman Williams reiterated the Board's concerns that the Town's overall interests were protected.

Selectman Musmanno stated that, generally, there are appointed or elected officials doing what he is doing with a charter in mind. He asked what was the benefit and difference to be recognized by the Town? Mr. LeBlanc felt it was vital to get the Town's support so all the liability does not rest upon him or his committee.

Selectman Rozanski wanted to see the Town listed on his insurance policy as "an additional insured" more to protect the Board and the Town from their suing him or his committee. She stipulated they needed a Treasurer that protects him from liability. Mr. LeBlanc said he spoke to his attorney and decided to name someone as a trustee. Mr. Balukonis explained the insurance coverage should be up to one million dollars, and any excess would be the Town's responsibility. If he was listed under the Town of Medway, then he would be covered under the Town's umbrella for over one million dollars. Selectman Williams noted it was similar to stop loss to one million dollars.

Selectman Williams believed that, most often, the Town gave a committee a charge, but right now, they did not have names or anything tangible in front of them.

Selectman Musmanno felt there was a larger issue, and did not hear anyone opposed to the idea. He believed they all wanted to help, but he did not see it as the Town's purpose to help My One Wish benefit from the fundraiser.

Mrs. LeBlanc felt that the Straight From The Heart Committee could pick a different charity each year to donate their monies to. Mr. LeBlanc noted he wanted to have some of the proceeds go towards Town organizations, but was told that couldn't be done.

Selectman Rozanski told Mr. LeBlanc he was asking the Board to make a decision for the Town, but to issue permits, they needed a statement of organization, and a document drawn up by an attorney attesting to their purpose and officers. Mr. LeBlanc said he only has nine days to complete his mission.

Rich Panerelli, who was in the audience, said he was with the Sheriff's Office, and felt anything that benefited the Town in one way or another was associated with the project.

Selectman Williams asked if Mr. LeBlanc could provide the information the Board requested for next week? Mr. LeBlanc said he

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

would talk to his family and co-workers to decide their next course of action, but he could have a letter to the Board in an hour if they just needed to know what their intent is. At this point, Selectman Williams stated what is required is what Mr. Balukonis has stated in his letter.

Again, Selectman Rozanski stated if there is an organization, permits would be issued to that organization, not an individual.

Selectman Williams said he was not being asked to do anymore or any less than anyone else, but at this time, the Board did not have sufficient evidence to go forward. Mr. LeBlanc said he would go to the insurance company first thing in the morning.

At this point, Selectman Dziczek said he saw no reason why Mr. LeBlanc should stop the activity planned for November 11<sup>th</sup>. He also believed the Board of Selectmen would recognize or sponsor the committee provided they come to the Board with a list of people on their committee and a statement of organization.

Selectman Dziczek asked the Board, if they were going to say no if he does everything the Board asks, or would they accept him? Selectman Musmanno agreed this was an additional point, and it shouldn't matter, but it should be considered.

Selectman Williams stated if Mr. LeBlanc comes back with all the information on paper, they he would have no problem recognizing the committee. Selectman Rozanski added, if the Town recognizes the committee, then they are subject to the open meeting law, minutes and posting.

4. Town official updates – none.

7:45 p.m. – Animal Control Officer Brenda Hamelin approached the Board concerning a dog hearing relative to Ben and Bandit owned by Greg and Paula Finigan of 20 Maple Street.

Selectman Williams opened the hearing and asked all who would testify to raise their right hand and take an oath to swear their testimony was the truth, which she and Mr. Finigan did.

Ms. Hamelin was the first to testify. She explained the history of several incidents since 1997 involving the animals, some for barking and some for violation of the leash law. Ms. Hamelin stated the Finigans have a kennel in the back of their house with fencing that does not seem to be sturdy enough to hold the dogs.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

Ms. Hamelin read a letter from the resident at 125 Maple Street, Andrea Fiori, indicating she was aware of the incident with the dogs and witnessed the cat in the mouth of one of the dogs. Ms. Hamelin also noted when a wild animal is killed, it has to be rabies tested and all who have had contact with dogs have to be temporarily quarantined and go through post exposure shots.

Ms. Hamelin was asked if people felt threatened by the dogs, and she stated that some have expressed some fear and trepidation, but did not say they were aggressive towards people.

Mr. Finigan stated he was not home during the latest incident but was told what had occurred, and knew his dog, Bandit, had come home with a cat in his mouth, but was not sure if he had found it or killed it. He did not feel his dogs killed everything that came into the yard and said they were great dogs who loved kids. Mr. Finigan said he makes repairs on the fence all the time, but some of the kids who come into the yard cause the damage. Also, it is the kids that occasionally open the gate, and did not dispute that the dogs get loose sometimes, but was not sure about their killing other animals. He felt they did bark for a reason.

Mr. Finigan was asked what he does when the dogs bark, and he replied he brings them inside. He noted that they were not outside unless they were home.

Selectman Rozanski stated she was concerned about the other pets and that children had seen what occurred. Mr. Finigan was not sure what happened, but Ms. Hamelin stated that both dogs had been running loose. Mr. Finigan could not confirm or deny this.

Selectman Musmanno asked about the fence and if it was sufficient to contain the dogs. Mr. Finigan said it was a chain link fence and they could not jump over it, but did agree with Selectman Musmanno that when the dogs have escaped, they either went under the fence or through an open gate.

Selectman Dziczek asked for reassurance that the dogs would not be loose again. Mr. Finnigan indicated he would do the best he could with the fence, and the only recourse was a lock on the fence. Selectman Dziczek reminded him to speak to the children, which Mr. Finigan said he has done. Selectman Dziczek asked Ms. Hamelin about the incidence of a dog killing a cat, and could it now harm a person? Ms. Hamelin stated there was always a chance, or if someone goes to try and help, or if someone is holding a cat and the dogs go after the cat and hurt the individual – it may not be intentional, but it could happen.

Selectman Rozanski moved to close the hearing; Selectman Dziczek seconded; all aye 4-0-0.

Selectman Rozanski proceeded to determine the appropriate findings of fact.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

She moved that on October 15, 2001, the dogs were outside of the yard when the cat was killed; Selectman Dziczek seconded; all aye.

Selectman Rozanski moved that the dogs do get out of the yard periodically; there was no second.

Selectman Musmanno moved that the report given to the Selectmen indicating nine occasions of violations were not disputed; Selectman Rozanski seconded; all aye.

Selectman Rozanski moved that the fence is not sufficient to keep the dogs in the yard; there was no second.

Selectman Rozanski asked Ms. Hamelin if she had a recommendation; she did not.

Selectman Musmanno moved that the dogs, Ben and Bandit, belonging to Greg and Paula Finigan of 20 Maple Street be placed on a ninety-day restraining order; Selectman Dziczek seconded. Selectman Musmanno believed that the events were serious but spread out over a period of time. He did want to remind Mr. Finigan to keep the dogs under his control, and did not recommend any other action at this time, other than the restraining order.

Selectman Rozanski again moved to amend Selectman Musmanno's motion to include that the fence be repaired to the satisfaction of the Animal Control Officer as sturdy enough to contain the dogs. Selectman Musmanno stated that it was the owners' responsibility to keep the dogs contained, otherwise the action would be to take the dogs from them; Selectman Rozanski withdrew her amendment to the motion. Selectman Dziczek clarified this by asking, if the Finigans are found in violation again, could she take the dogs? Ms. Hamelin stated if the dogs get picked up, then there is a hearing with the Board of Selectmen. To take the dogs depends upon what the violation is for, but did agree that if they get picked up, they would receive a citation. They would always have the ten days to appeal.

On Selectman Musmanno's main motion of a ninety-day restraining order; all aye 4-0-0.

Mr. Finigan acknowledged he understood a letter would be forthcoming from the Board with the appeal process stated therein.

8:25 p.m. – Selectman Williams announced that the public forum on Hidden Acres and the Chapter 61A notice of intent was now open, and turned this portion of the meeting over to Selectman Rozanski.

Selectman Rozanski explained the Board had three options: not to exercise their right of first refusal, exercise their right and match the value offered, and assign

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

the right of first refusal to another entity. She inquired if anyone had any interest in pursuing the third option – there were no comments. Dan Hooper asked her to clarify that option. She inquired if there was a legitimate proposal out there from someone to do this – there were none. Dick Coakley asked if there was someone who wanted to make a presentation – there was no one.

Selectman Rozanski then stated they were left with two options, and each had a dollar impact, but she thought of something else – her inclination was that the property was suited for commercial development and use. If the Board was not going to exercise their right to purchase, they ought to vote early on in the process; or decide if they do want to purchase; or they can lease the land. If the Town purchases it, then can they develop it commercially, and did they have the resources to do so?

Mr. Balukonis stated that he had received verification from Town Counsel that the notice of intent was a bonafide offer of \$4.5 million. Plans call for 136,000 sq. ft. of commercial space. The gain to the Town is about \$170,000 annually, and a one-time roll-back on taxes of \$25,200.

With regard to leasing, Selectman Rozanski believed the Town would have to acquire the land first. She feared the Town would have no expertise in this and would have to go out and secure it, and then Chapter 30B would become part of the process. Mr. Balukonis stated if the Town was operating the property for income and Chapter 30B is involved, it would create some issues.

Mr. Hooper was concerned about the process leading up to this evening. He stated that the Planning Board, of which he is a member, got notified in August, and they responded very quickly with the recommendation to re-convene the Land Acquisition Committee to determine their options. Now it was 80-90 days into the process, and there was not enough time to make an educated decision. He asked why it took so long to have this forum?

Selectman Rozanski stated that when the Board received the notice of intent, a memo was sent to all pertinent committees asking for their input. There was further discussion and conversation. Once it is determined to go forward, then the Committee could be reconvened. Mr. Hooper again stated he felt it was a mistake that the Committee had not already been activated. Selectman Rozanski hoped that the Community Preservation Committee would be useful in this process in the future.

Charlie Myers felt the Town should not purchase the property for a variety of reasons, mostly going against the master plan adopted by the Town, which included the desire to develop commercial property to receive revenue, being more business friendly, and implementing configurations along Route 109.



MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 29, 2001

Mr. Hooper agreed with the points raised by Mr. Myers, but still felt the process was lacking in action by the Board for a change of use to make a determination in 80-90 days. He wondered if other Boards had responded yet?

Selectman Rozanski said this was the third attempt to get comments, but only the Assessors, the Planning Board and the Industrial Development Commission had responded. Dick Coakley agreed the time element seems to work against them, and felt it needed to be accelerated.

David Cassidy, one of the owners of Hidden Acres, was present and did remind everyone that since it was Chapter 61A land, 51% stays as open space.

Selectman Rozanski moved to exercise the Town's right not to purchase the property; Selectman Williams seconded. Selectman Dziczek stated, with being the Board's representative on the Community Preservation Committee, they will see more work than in the past. He thought this particular piece of property offered a win/win situation to the Town, with a commercial entity bringing revenue and still having open space; both will benefit from this.

Selectman Musmanno was reviewing the Law, and was interpreting that the Town would be able to develop the land; it was not required to keep open space – not even 51%. The only appropriate use would be municipal, so it seemed to be that commercial use was indeed the best use. On the motion not to purchase, all aye 4-0-0. The Town would be officially notifying the attorney of the owners.

2. Approval of minutes.

- Selectman Musmanno moved approval of the regular meeting minutes of October 15<sup>th</sup>; Selectman Rozanski seconded; Selectman Williams abstained; 3-0-1.

9:00 p.m. – Officer Donald Grimes and Sergeant Bob Saleski of the Police Association came to meet with the Board concerning Article #8 on the Special Town Meeting warrant of November 5<sup>th</sup> relative to removing the position of Chief of Police from civil service.

Selectman Williams explained that the official position of the Board was to place the article put forward by the Town Administrator on the warrant and to get an opinion from the people. No vote by the Board was taken on it.

Officer Grimes stated he had met with Mr. Balukonis and thanked him for that. He stated he was speaking for the Police Association and they are very much against the article being passed. If the Board of Selectmen want to know their opinion, they will address it on the floor and they will be heard. He stated that 85% of Massachusetts communities have the position under civil service.

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He understood that they were still governed by civil service, but said that one of Mr. Balukonis' concerns was test scores, and that he would be given three names. The person chosen also had to have technical, managerial and communication skills, and that he would be appointing Medway's fourth chief. Officer Grimes felt that stability would be gone if the position was out of civil service. He felt Chief Lambirth has been a tremendous leader and is well-respected while still governed under civil service. He said that Mr. Balukonis has indicated he wanted the chief to be part of his management team, but that's a chief's job, civil service or not.

Sgt. Saleski felt there were some parameters about civil service he wanted to go over, such as, the idea that when an exam is taken, only one candidate is available to be chosen – that is not necessarily true. A promotional exam was held last Saturday and noted that to be promoted, was very job specific and intense and indicated there was a certain amount of required reading, with an approximate cost to the individual of \$800. A demonstration in the number of books to be studied was provided.

Sgt. Saleski stated the position of chief was accepted into civil service in 1937, with the other positions following in 1947, with preference being given to those who lived in Town even if someone else got a higher score. He stated that everyone starts off on the same foot with civil service, with the promotional coming from within with a choice of three names. If the top scorer is not chosen, there has to be a good reason given as to why not.

If you are not in civil service, you don't start at a level playing field; you could write a job description that would exclude most of the officers present; some people can take tests and others know the right answers; and if it was taken out of civil service, you are looking to go outside, which shows you do not have faith in the people here and the knowledge of the Town is not used.

There is also another thing, and it is not a personal issue, but it is the issue of the Town Administrator being the appointing authority. What is the criteria for which the individual would be judged. For him to be the individual to alone hire the next police chief scares everyone. Sgt. Saleski said he went to fourteen towns, and not one has the Town Administrator with that ability. He felt there should be a committee who chose the police chief, and would rather see more dialog on the selection process and how the finalists are chosen if the Town Administrator appoints the chief.

Selectman Musmanno said the Town Administrator reports to this Board of Selectmen. The recourse is here. He has to answer to the authority of the Board of Selectmen. Sgt. Saleski stated that the Town Administrator makes the appointment; you can't overturn that. Selectman Musmanno said you can excuse him. Sgt. Saleski continued on asking if you bring in a new Town Administrator,

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who can stop a new person from appointing someone else. It is an awkward position to be autonomous.

Selectman Williams said he was more comfortable with Town government with the one who is here now, and he can give the Board of Selectmen override. Many like the position of Town Administrator because he would not be as political.

With regard to the lieutenant's exam for instance, Sgt. Saleski said, if four sergeants take the exam, it exempts the patrol officers from qualifying. Selectman Rozanski queried, what if four take the exam and four fail. Sgt. Saleski said that a provisional would be appointed and then the Town would re-apply for another exam.

Selectman Williams allowed Mr. Balukonis the opportunity to speak, noting the Town Administrator had felt it was important that the Police Association be allowed to come tonight. Mr. Balukonis stated it was just a matter of giving the Town a choice and it was important that the issue was addressed. Down the road, it might be asked why was the choice not discussed, and he wanted to provide that choice. He felt it was important that the Town consider the new legislation as there was a calendar by necessity for submittal. Originally, he had thought the matter could be settled at a Spring town meeting or the ballot, and since then discovered it needed to be approved as submittal of legislation approved at town meeting. That is why he accelerated the process by six months and brought it to the Board.

Selectman Dziczek said the FinCom will go over the articles and give a recommendation at town meeting. He did note it was brought to the table eight years ago by the State, and it was good to get both sides out.

Selectman Williams thanked the Association for coming.

Selectman Dziczek did remind everyone that with the upcoming loss of officers, they really have to get moving. Sgt. Saleski added that the exams recently taken were held to replace officers that would be leaving, but then others would be needed to fill their place. He noted that ten officers have left in the last fifteen years to go elsewhere as they did not see the opportunity here. They should hear the results of the exam in January. Selectman Williams briefly brought up the Milford case of the police chief leaving there. Sgt. Saleski thought it was because he failed to make contact with the department.

5. Report of the Town Administrator.

Mr. Balukonis provided an overview of the current expenditures of the new High School prepared for the Municipal Building Committee. He noted the manner it was being presented represents the categories the SBAB requires for reporting. He felt this was helpful for all to see,

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and no problem at this stage. Selectman Dziczek asked about any additional funds being requested, but Mr. Balukonis believed they were at a wait and see level right now.

- Mr. Balukonis reminded everyone of the FinCom meeting on November 1<sup>st</sup> at 7:00 p.m. at the Senior Center regarding the special town meeting warrant articles and department heads were being requested to attend if they had articles on the warrant.

6. Reports of the Selectmen.

- Selectman Musmanno had none.
- Selectman Dziczek reported, in speaking with the Board of Health, there would be a flu clinic at the Senior Center on November 13<sup>th</sup>.
- Selectman Rozanski spoke of a recent MAPC Council meeting she attended, and providing some of that information to Mr. Balukonis.

She also spoke of Executive Order 418 and the process of community development planning, and examples of implementation which she would also pass on to Mr. Balukonis.

Selectman Rozanski also said she had an important announcement – she had been nominated to be President of the Mass. Selectmen's Association for 2003. This ensures keeping Medway on the map and in the forefront of Massachusetts towns.

7. Report of the Chairman.

- Selectman Williams had none.

8. Discussion items.

- a. Selectman Williams acknowledged a memo from Mr. Balukonis indicating he was working on consolidation of the Selectmen and Town Administrator's goals, but just required some additional time.

9. Action items.

- a. Sign dog hearing letter to Ruthie Wallace – done.
- b. Sign proclamation for Veterans Day – done.
- c. Chairman sign letter to EOCD for the quarterly report on Alder Street/Trotter Drive – done.

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- d. Selectman Rozanski moved to authorize the Chairman to sign CH235 Contract for Mass. Highway for Chapter 90 funding; Selectman Dziczek seconded; all aye.
- e. Selectman Rozanski moved to grant an extension for a temporary sign for Cybex as outlined in their letter of October 23<sup>rd</sup>; Selectman Dziczek seconded. Selectman Musmanno asked if the extension should be until November 19<sup>th</sup> when he would be meeting with the Board, and then amended the motion to include an expiration date of November 21<sup>st</sup>; Selectman Rozanski seconded; all aye.

10. Communications/correspondence/informational items.

- a. It was noted that the Ethics Seminar would be held on November 28<sup>th</sup>, at 2 p.m. for employees and for appointed and elected officials at 7 p.m.

11. Dates to remember.

- a. The next Selectmen's meetings were on November 5<sup>th</sup> at 6:00 p.m. in Room 111 of Medway High School, and on November 19<sup>th</sup> and 26<sup>th</sup> at 7:00 p.m. in Sanford Hall.
- b. Special town meeting being held on November 5<sup>th</sup> in the High School auditorium at 7:00 p.m.

12. Executive session – none required.

10:10 p.m. – Selectman Musmanno moved the meeting be adjourned; Selectman Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

as amended  
11/19/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**OCTOBER 22, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes – none.
3. Public comments.
4. Town official updates.

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

Re: Signing of bond notes for \$4.5 million.

7:15 p.m. – Municipal Building Committee/Design Partnership (TENTATIVE).

Re: Vote on approval of high school site plan (tentative pending notification of completed order of conditions by ConCom).

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.

8:00 p.m. – Bill LeBlanc.

Re: seeking Selectmen support for fundraiser.

8. Discussion items.
9. Action items.
10. Communications/correspondence/informational items.
11. Dates to remember:  
Selectmen's next meetings – October 29<sup>th</sup> at 7:00 p.m.; November 5<sup>th</sup> at 6:00 p.m. Room  
111 of Medway High School;  
Special Town Meeting – November 5<sup>th</sup> at 7:00 p.m.
12. Executive session – reason #3.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

cc: AUB  
Jen

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 22, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall. He acknowledged the passing of former Selectman and Water/Sewer Commissioner Harry Sabin.

1. Approval of warrant.
  - Selectman Rozanski moved the Board approve and sign warrant #17 in the amount of \$755,009.21; Selectman O'Leary seconded; Selectman Dziczek abstained; all aye.
2. Approval of minutes – none.
3. Public comments – none.
4. Town official updates – none.

7:05 p.m. – Treasurer/Collector Barbara Walls came to ask the Board to sign bond notes for \$4.5 million. This represents another borrowing for the school for funds being spent between now and March. Selectman O'Leary moved that the Board approve the sale of a \$4,500,000 2.12 percent Bond Anticipation Note of the Town dated October 30, 2001, and payable October 9, 2002, to Fleet National Bank at par and accrued interest; Selectman Rozanski seconded; all aye.

7:15 p.m. – Jim Hoodlet, Vice-Chairman of the Municipal Building Committee and Keith Hoffses of The Design Partnership of Cambridge came to meet with the Board regarding site plan approval.

Mr. Hoodlet said they were requesting a provisional special town meeting for January 7<sup>th</sup> to request, if necessary, an additional appropriation for the construction contract. He noted they are going out to bid with documents November 6<sup>th</sup>, with sub-bids due December 4<sup>th</sup>, and general contract bids due December 18<sup>th</sup>. They then have thirty days to respond with acceptance and sign contracts. Mr. Hoodlet noted, therefore, that if a special was needed, it needed to be called for January 7<sup>th</sup>. He indicated that the language of the prior debt exclusion vote was not specific to an amount, so it may not have to go to the ballot. With the Memorial School project, it was not done.

Selectman Rozanski stated that the DOR has been requesting that Towns call and see if what is being asked for is allowable outside of the debt exclusion. She said she would give Mr. Balukonis a letter indicating the name of a contact person.

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With regard to site plan, Mr. Hoodlet believed there was only one issue of substance, that being a 300-foot stone wall. It may not be on Town-owned land, but it was the biggest budget issue and is still being negotiated with the Planning Board.

The Board was concerned with the Order of Conditions even though they understood ConCom had given their approval on October 18th, as there was not a copy of the O of C available at this time. However, Selectman Rozanski moved to approve the high school site plan subject to the Planning Board conditions and ConCom's Order of Conditions #216-587; all aye 5-0-0.

5. Report of the Town Administrator.

- Mr. Balukonis stated that the Norfolk County Engineers had completed their traffic study for Clark Street on October 3<sup>rd</sup> regarding a possible truck exclusion. This was done during a 24-hour period with 1579 vehicles during the peak times of 8 and 9 a.m., and 4 and 5 p.m. He indicated that the total truck traffic was about 2%. If there were no questions from the Board, he would forward the information to Holliston, and then it was up to them to forward to Mass. Highway if they wished to pursue it. Selectman Musmanno moved that the information be provided to Holliston; Selectman O'Leary seconded; all aye 5-0-0.
- Mr. Balukonis stated he had met with the Finance Committee subcommittee to discuss revenues with staff present including the Town Accountant, Treasurer/Collector and Administrative Assessor. They looked at the tax recap sheet as the information contained therein drives the budget process. At this time, they were uncertain as to the numbers. It appears that state aid is leveling off and it was possible that Medway would receive less primarily due to a dropping of revenue receipts. He believed that all Town departments and the Schools will have to work together. The next revenue meeting was scheduled for Tuesday, November 20<sup>th</sup>.
- Mr. Balukonis stated he had attended the ICMA Conference in Salt Lake City, Utah. It centered on communication, leadership and management and thanked the Board and the community for allowing him to attend and bring back valuable information.

7. Report of the Chairman.

- Selectman Williams reported that each of the Selectmen had received a phone call notifying them of the redistricting of representatives and that it appeared Medway would have Rep. Loscocco for one district



MINUTES OF THE SELECTMEN'S MEETING  
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and Rep. Vallee for the other three. Selectman Rozanski confirmed it had been voted today.

7:50 p.m. – Bill LeBlanc came to meet with the Board concerning his fundraiser, Straight from the Heart. His original intent was to have the funds donated to the United Way, Unity Fund of Massachusetts, however, he was not happy with their lack of information to him and has changed to the My One Wish program for terminally and chronically ill children. He also wanted to honor the veterans so it was being held on Veterans Day, November 11<sup>th</sup>.

He indicated he was going to have live music with bands donating their time. He had met with the Student Advisory Board at the High School and the kids were expected to be involved and help run the show. He had a small committee to help him. The VFW wants to help and the American Legion were thinking about it. A car show was coming from Milford, and there would be a motorcycle run, as well as clowns. He had hoped that Tony Brenner from My One Wish would be coming this evening to explain their program. Mr. LeBlanc said he had spoken to Jim McClean at the school, touched base with Dr. Bettencourt, Chief Vinton, Chief Lambirth, and the Norfolk County Sheriff's Office.

He had some questions on paying janitors and police details. He knew the Fire Department would come and help, and was going to ask the Disaster Team to come in, as well as SMOC and Triad. On insurance, he wanted to have \$1 million coverage. He was also hoping to have an Italian accordion player and a bagpipe player, with a friend donating the equipment to be used. He also wants to have catered food available and the Scouts to help.

Mr. LeBlanc asked about being under the Town's insurance, and Selectman Williams said that could occur only if they were sponsored by the Town. At this point, he did not feel the Board had enough information to sponsor them. Selectman Rozanski asked if the School had agreed to the use of the premises and Mr. LeBlanc stated they had.

Selectman Dziczek noted the Board still had additional meetings before the 11<sup>th</sup>, and Mr. LeBlanc could speak to Mr. Balukonis about any remaining issues of concern.

Selectman Williams asked Mr. LeBlanc to also speak to the Safety Officer. Selectman Dziczek asked that he check into trash removal and parking. Mr. LeBlanc said he would inquire if the Highway workers would help out. Selectman O'Leary thought it was a great idea, but felt more time was required to put it all together. She asked if any sport teams would be using the fields, but Mr. LeBlanc believed the fields were clear.

Again, Selectman Williams stated that the Board has to protect the Town's interest. Selectman Rozanski inquired about permits, with Selectman Williams

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stating they could possibly waive fees, but they needed to be applied for, and he still wanted to hear what the Safety Officer had to say.

Gary Crowan was in the audience and stated that he was a friend of Mr. LeBlanc's who lives in Milford but was on the music committee to help him and in support of his endeavors.

6. Reports of the Selectmen.

- Selectman Dziczek noted he had nothing to report on except that the Community Preservation Committee would be meeting on November 6<sup>th</sup>.
- Selectman O'Leary had only to report that the affordable housing applications were still available until the end of the month at the Town Hall and the Library, and that there would be a safety and health day at the Senior Center on November 9<sup>th</sup>.
- Selectman Musmanno had no report.
- Selectman Rozanski said she had attended the SWAP meeting and regional and public transportation were discussed; \$40 million of MPO was down to \$27 million; redistricting issues are out there; Summer Street was still a priority but the dynamics have changed.

8. Discussion items.

- The Board discussed the temporary Cybex sign at the intersection of Milford Street and Trotter Drive. Selectman Musmanno recommended just closing off discussion of the issue since he had not requested an extension yet. Mr. Balukonis suggested giving him one more week just in case he had not even looked over the Town's letter yet.

Selectman Musmanno was not in favor of the sign being there, either as a temporary sign or as a permanent sign, and if the Board agrees, why not just discuss it now and call for a vote. If Mr. Bancewicz wanted to make it permanent, why not just ask for it in the first place. He could also be asked to take down the sign and wait for the Board's decision. Selectman Williams recommended waiting an additional two weeks, but wanted an application to the Town for a permanent sign. Selectman Musmanno wanted a deadline placed on the application to the Town to the Building Inspector within two weeks.

MINUTES OF THE SELECTMEN'S MEETING  
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Selectman Rozanski noted there is a process for signs on Town property, with Selectman Williams stating there were really two issues: size and scope of the sign, and a firming up of a policy.

Mr. Balukonis said they could set up a standard through the by-law for signs and an annual permit fee for them. Applications would then have to be submitted and approved or disapproved as to size and location, with the color and content up to the applicant.

With regard to the Cybex sign, Selectman Musmanno felt the board should take action by a certain date. Selectman Rozanski noted that the Town could file a complaint and let the Building Inspector take it from there, but at this time, suggested an application to the Building Inspector by November 5<sup>th</sup>, and ask him to meet with the Board on the 19<sup>th</sup>. Because of the special town meeting and the Veterans Day holiday, Selectman Williams agreed.

9. Action items – none.

10. Communications/correspondence/informational items – none.

11. Dates to remember: Selectmen's meetings – October 29<sup>th</sup> and November 5<sup>th</sup>,  
Special town meeting – November 5<sup>th</sup>.

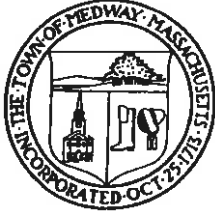
12. Executive session.

9:05 p.m. – Selectman Rozanski moved that the Board adjourn to executive session, not to return to public session, for reason #3, to discuss strategy with respect to preparation for collective bargaining if an open meeting may have a detrimental effect on the governmental body's bargaining position; Selectman Williams seconded. The vote: Selectman Dziczek – aye; Selectman O'Leary – aye; Selectman Musmanno – aye; Selectman Williams – aye; Selectman Rozanski – aye; 5-0-0. Ms. Fredette was not in attendance during the executive session.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
11/5/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**OCTOBER 15, 2001**

7:00 p.m. -- Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of October 1, 2001.
3. Public comments.
4. Town official updates.

7:15 p.m. -- Dog hearing -- Buddy and Butch.  
Ruthie Wallace, 49 Oakland Street.

8:00 p.m. -- High school site plan review/building permit fee  
Keith Hoffses -- Design Partnership of Cambridge.  
David Warner -- Larson Associates.  
Jim Wieler -- Planning Board.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Hidden Acres Ch. 61A notice of intent.
9. Action items.
  - Discuss, approve and vote on special town meeting warrant articles.
  - Vote to approve H.O.P.E. boot drive.
  - Vote to approve Cybex's permanent sign on Town property.
10. Communications/correspondence/informational items.
  - Analysis from Tata & Howard on wastewater alternatives in the Industrial Park.
  - NStar letter on outages in Medway.
11. Dates to remember:  
Selectmen's next meetings -- October 22<sup>nd</sup>, 29<sup>th</sup>, Special Town Meeting -- November 5<sup>th</sup> at 7:00 p.m.
12. Executive session (if required).

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

*cc: As of*

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 15, 2001

Present: Selectmen Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman John Williams was not in attendance.

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

1. Approve and sign warrant.
  - Selectman Dziczek moved to approve and sign warrant #16 in the amount of \$693,634.96; Selectman O'Leary seconded; all aye.
2. Approval of minutes.
  - Selectman Musmanno moved approval of the regular meeting minutes of October 1<sup>st</sup>; Selectman Dziczek seconded; Selectman O'Leary abstained; aye 3-0-1.
3. Public comments – none.
4. Town official updates – none.
5. Report of the Town Administrator.
  - Mr. Balukonis spoke of Medway's emergency plan in place at this time, noting it was strong in some areas, and light in others. Specifically, there were only three pages on terrorism as updated in 1998. Seminars were coming up to assist towns, and a protocol by the Fire Department on toxic substances was being sent to various departments with a point of contact. Selectman Rozanski suggested a public forum for residents.
  - Further reporting from Mr. Balukonis was postponed in light of the dog hearing.

7:15 p.m. – Animal Control Officer Brenda Hamelin approached the Board concerning a dog hearing relative to Butch and Buddy owned by Ruth Wallace of 49 Oakland Street. Ruth's husband, Bob, was present and apologized to the Board that she was not present this evening.

Selectman Rozanski stated the reasons why the hearing was being held. She opened the hearing and asked all who would testify to raise their right hand and take an oath to swear their testimony was the truth, which they did.

Ms. Hamelin was the first to testify bringing to the Board 39 pages of documentation recorded with the Police Department since 1997. Ms. Hamelin went over the various incidents beginning with Butch in November of 1997, a

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 15, 2001

loose goat in September of 1999, to Buddy in June 2000. In June of 2000, because the dogs weren't licensed, a hearing was requested, Ms. Wallace did not show, and a summons was issued. In May of 2001, an arrest warrant was issued for Ms. Wallace. Most recently in September, they had acquired a pit bull, Thor, who was running around unmuzzled. Ms. Hamelin had given them 48 hours to place the dog out of Medway. This on top of all the other reported barking and loose dog complaints comprised the 39-page report.

Ms. Hamelin indicated some action had been taken on the part of the Wallaces in that an 8'-10' fence had been put in the front of their yard, but the balance of the fencing around the property was not sufficient to hold the dogs in and keep them on their property. She felt the Town had been lenient with them in the past, and action needed to be taken now.

Ms. Hamelin was questioned by the Board. She acknowledged that the stockade fence in front was put up last year, and the remaining fencing was put up within the last 5-6 months, with the dogs still getting loose. Ms. Hamelin felt she had put 30-40 hours on this case including court appearances. The total fines assessed to the Wallaces were \$475, all of which had not been paid.

Abutters and neighbors Ted and Maryalice Kenney of 50 Oakland Street came to testify. Mr. Kenney stated they had lived there 22 years and has never brought up any concerns before except for these dog incidents. He testified they could not even walk their own dogs in their own yard without the other dogs, if loose, coming over. He brought up the constant barking, especially when no one was home. All complaints to the Police Department or the Animal Control Officer have been documented. Mr. Kenney stated it was not the animals' fault, acknowledging they just want to play. They acknowledged they have tried to talk to the Wallaces. Mr. Kenney noted they were tenants and did not own the property.

Mr. Wallace asked questions of the Kenneys and Ms. Hamelin. Mr. Wallace noted there were 31 complaints; 20 from the Kenneys. Ms. Hamelin noted that not all complaints received were documented. She went over some of the barking reports, citing that she cannot walk on someone's property and take a dog.

Mr. Wallace then went to speak in his own defense saying the dogs were well-trained, and disputed they barked for hours and that they were a nuisance. He did not take responsibility for Thor as they were just dog-sitting him. He stated he would muzzle the dogs in the yard if need be, and would fix the fence. When the dogs were allegedly barking, he was not home, and could not corroborate the Kenneys' statement.

When asked again if he disputed what he had heard, he admitted that what he was hearing Ms. Hamelin and the Kenneys say, he was hearing for the first time and would like to read all of the reports submitted. Yes, he disputed most of the

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 15, 2001

complaints. When asked what other explanation he could give for the Kenneys' complaints, Mr. Wallace stated "legal harassment". Over the ten years of having the dogs, he could only corroborate 1 or 2 incidents.

Selectman Musmanno asked if he was familiar with the leash law in Medway, Mr. Wallace said he was and felt he complied extremely well with it. Again, he stated he did not have supporting backup for his stance as he was unaware of 90% of what was presented. He stated he would pay the fines.

Selectman O'Leary asked if the dogs ever roamed out of his yard, and Mr. Wallace stated only with him. He said Ms. Hamelin never came to him during a reported incident. He noted that he came home most of the time 10-15 times during the day, and did not believe the dogs bark consistently.

Selectman Dziczek felt that the issues surfaced when Mr. Wallace was not home, and prior to any fencing, the dogs were running around. Having the hearing this evening brought up the possibility of making the problem go away now, whether he was home or not. Mr. Wallace believed that the Kenneys were the only neighbors that would call, and did not have any problems with anyone else.

Selectman Dziczek wanted to be assured that the dogs would not be running around or barking anymore? Mr. Wallace stated that he would fix the fencing so it was 10' all around and the dogs would not be able to leave the yard anymore. He would also put electric barking collars on the dogs by Noon the next day. When he goes out, he will take the dogs with him. The outstanding fines will also be paid. At this point, Ms. Hamelin corrected the outstanding amount to be \$425. When asked why the fines had not been paid, Mr. Wallace said he and his wife were separated and did not know about them.

Selectman Rozanski asked about the dogs being licensed, but Mr. Wallace did not want to respond one way or another as he felt entrapped. He disputed every claim from 50 Oakland Street. Ms. Hamelin admitted that when she picked up Buddy in May, he did not know the dogs were not licensed, and may not be aware of all the times the dogs were running loose. Most of the time, she spoke to Ms. Wallace. However, this prompted the Board to ask, if he was not there, how could he dispute the allegations? Ms. Hamelin again stated that they have not been cited every time she saw the dogs loose, and did advise the Kenneys they would have to be ready to go to court if they complained.

Selectman O'Leary asked for a recommendation from Ms. Hamelin. Ms. Hamelin recommended: when the dogs were left outside when no one was home, they had to wear anti-barking collars.

Selectman O'Leary moved the hearing be closed; Selectman Musmanno seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
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Selectman Musmanno proceeded to determine the appropriate findings of fact.

He moved to accept all of the report documentation submitted as being undisputed by both parties; Selectman O'Leary seconded; all aye.

Selectman Rozanski moved that the dogs were unlicensed; Selectman Musmanno seconded; all aye.

Selectman Dziczek moved that all complaints logged in were responded to, and Mr. Wallace was not present during those times. This was amended by Selectman Musmanno to be that Mr. Wallace was not present at the times of the complaints; Selectman Dziczek seconded; all aye.

Selectman Rozanski moved that all fines were not paid; Selectman Musmanno seconded; all aye.

Ms. Hamelin clarified that under a permanent restraining order, the Animal Control Officer can pick up and have the dogs destroyed. On any restraining order, whether permanent or temporary, the Animal Control Officer has discretion with the word "can". She also clarified that the owner of record of the dogs is Ruthie Wallace.

Mr. Wallace did state he was the keeper and carer of the dogs, and had custody and control of them, and would even change the paperwork to reflect that. However, Ms. Hamelin said it could not be changed.

Selectman Musmanno moved to find that the caretaker represented here would complete installation of the containment of the dogs, and then withdrew the motion.

Selectman Rozanski declared the Board was done with their findings of fact.

Selectman O'Leary moved to place a temporary restraining order on the dogs at 49 Oakland Street, and that they be required to wear electric barking collars for six months; Selectman Dziczek seconded the motion but amended the motion to include that the fines be paid immediately and the fence completed; all aye 4-0-0.

Selectman Rozanski stated they would receive a letter from the Board outlining the action taken this evening, however, she did note that the Wallaces have ten days from receipt of the letter to appeal their decision to the District Court.

8:30 p.m. – Jim Hoodlet, Vice-Chairman of the Municipal Building Committee and Keith Hoffses of the Design Partnership of Cambridge, along with Planning Board Jim Wieler, came to meet with the Board once again.



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Selectman Rozanski stated that, in the absence of Chairman Williams, the Board would not vote on site plan approval until next week.

Mr. Hoodlet said they would like to speak to the Board about several issues this evening: site plan, waive on filing fees, and a provisional town meeting on January 7<sup>th</sup>, 2002 the purpose of which was to consider an additional appropriation if bids are received in excess of the appropriation.

Selectman Rozanski said they would not discuss the third matter this evening, but believed it would be appropriate that the Board schedule a town meeting in the future. She suggested they discuss fees first.

Mr. Hoodlet said he appreciated the input received from Mr. Balukonis regarding the fee structure, and stated he would like the architect to be authorized to advise the contractor they should assume that there will be \$27,000 in inspection fees, and any additional monies would be on a change order. He wondered if this specific action should also include Water/Sewer fees which would be about \$4,000-\$6,000? Should they talk to the Water/Sewer Board? He looked for direction.

Selectman Musmanno asked about the minimum funding, and Mr. Hoffses felt it would be good to assume \$27,000 is the cost, and if it is not all spent, it comes back to the Town. Mr. Balukonis noted that none of the fees charged are reimbursable. With regard to the Water/Sewer fees, he was not sure but believed their cost was for permitting.

Selectman Musmanno moved to waive the building permit fees for the project and set the inspection fees at \$27,000; Selectman Dziczek seconded with a stipulation that a procedure be set up for change orders with no mark-ups, and that Water/Sewer fees are not included in this motion; all aye.

Mr. Hoodlet went on to the site plan. He stated he also appreciated the work the Planning Board had done and the comments received. He also had a few comments relative to:

- the Algonquin gas pipeline, and that a soft dig and surveying needed to be done. Mr. Balukonis stated it was being done on Thursday of this week.
- there was some concern about what standards were being used, and this is something that will be checked between David Warner from Larson Associates, who was present and Mark Louro of VHB. Selectman Rozanski suggested the responding back to the Planning Board to remove a condition.
- detention pond planting; there is only one pond requiring planting.
- gate at Adams Street for emergency access and a 300' stone wall. Mr. Hoodlet indicated this was a cost that needed to be factored out at about \$75/\$90 linear foot. Selectman Dziczek felt this was something that could be re-negotiated, but they need to stop people from going around the gate. Mr. Wieler noted there was

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 15, 2001

about 2500' of stone wall that would be moved, and conversations with abutters were being held.

- an order of conditions had not been received yet from ConCom.

Mr. Hoffses stated that the process was underway for the civil engineer to update their plans, probably three weeks time.

Selectman Rozanski noted she would like the Board to vote on the site plan when all conditions were in place. Mr. Hoffses commented that the hearing has been held; they just need the updates.

Selectman Musmanno read a portion of VHB's memo concerning a part of the bus loop on the access drive that appeared to be tight. Mr. Warner agreed there was only one small area of concern of a 14' wide travel area.

Selectman Dziczek asked that handicapped issues be incorporated and addressed. Mr. Hoodlet said he had met with Disability Commission Chairman Sue Bouchard regarding auditorium space. Mr. Hoffses added that they have met all the regulations in Massachusetts and the spirit of the ADA act.

Selectman Rozanski asked about getting input from citizens. Mr. Hoffses noted that all their meetings are public and have been televised.

Mr. Hoodlet noted they were wrapping up the design process with contractors being able to pick up documents on November 6<sup>th</sup>.

Selectman Rozanski inquired about the traffic impact analysis. Mr. Wieler wondered who would fund the study as they should have some answers in place. They did receive some letters from people residing nearby. Mr. Balukonis said he would like to discuss some ideas he had with the Municipal Building Committee.

Selectman Rozanski suggested they return next week on the site plan approval, but the orders of condition from ConCom were needed.

9:20 p.m. – 6. Reports of the Selectmen.

Selectman O'Leary stated the new Housing Authority member, Mary Anderson, had been appointed and sworn in. She also stated that applications have been picked up for the affordable housing on Summer Street.

Selectmen Musmanno and Dziczek had no reports.

Selectman Rozanski just noted there was not state budget yet.

7. Report of the Chairman - none.

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8. Discussion items.

- a. Hidden Acres Ch. 61A notice of intent. Mr. Balukonis stated that letters had been received from the Planning Board, Assessors and Industrial Development Commission. On August 16<sup>th</sup> a letter had been sent to appropriate departments requesting a response by September 21<sup>st</sup>. He was aware that Open Space had talked about it, but no official letter was received. He was not sure if additional time would make a difference.

Selectman Dziczek wondered if anyone had done any research on this. What is the impact, is going to be the question. The Board would be remiss if they just go and vote on the issue. Can the intersection handle it?

Selectman Rozanski suggested their options were to make a decision or have a forum

Selectman Musmanno agreed that a study was warranted, but it should have been done before any re-zoning took place. If they take the property, they are taking property zoned for that use.

Paul DeSimone, who was in attendance, stated that the property has been zoned commercial and traffic is part of the site plan review process. The IDC has been thinking of pursuing a PWED grant from Lee Lane to the intersection as well.

Selectman Rozanski stated if people know the Board will vote on this next week, she hoped other boards would give a response. She asked that the forum be advertised.

Mr. Balukonis said he did some research on a 136,000 foot commercial building and its value on the tax levy, which would be \$170,000/yr.

Mr. Wieler stated that the Planning Board feels obligated each time a Ch. 61A property comes up to research and see all options as part of the goal of the Master Plan.

9. Action items.

- a. discuss, approve and vote on special town meeting warrant articles. Mr. Balukonis went over some of the articles that did not now have to appear on the warrant, one being Article 12 relative to looking for funding to support the Upper Charles River Watershed study. He had learned that the request is for all towns to help fund the project, and the District may want to include the apportionment as part of each town's assessment. The second being under Article 19, two line items under the transferring of

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OCTOBER 15, 2001

funds: 2) for the Selectmen's salary account (not required at this time) and 6) for funding to stabilization (a duplication).

The Board then reviewed the articles as they appeared on the draft:

Articles 1-5: The first seven dealt with Planning Board issues, and as Mr. Wieler was still in attendance, joined in the discussion. A correction was made on the wording of one, and then the Board approved the first five to appear on the warrant.

Article 6: On the sixth one, Selectman Musmanno had a concern with the Town Administrator appointing an associate member to the Planning Board if he already appoints the Zoning Board. Selectman Rozanski suggested the appointment either be done by the Selectmen, or jointly with the Planning Board. Selectman Dziczek seconded the joint appointment change, with Mr. Wieler in agreement; all aye.

Article 7: The seventh article dealt with street acceptance, and Selectman O'Leary questioned why there were not others on the list? Mr. Balukonis explained that the Town had seized the bonds on these streets, but he would be making a concerted effort on the backlog of other unaccepted streets. Selectman Dziczek said they do need to know how much it is going to cost to fix those other streets for acceptance, and moved the placement of this article on the warrant; Selectman O'Leary seconded; all aye.

Article 8: The next article was regarding exempting the position of Chief of Police from civil service. Mr. Balukonis explained that the civil service law was an ancient law when the only professionals were under civil service. He felt that managerial candidates shouldn't be judged on test scores, and would like to base his decision on a few things, i.e. technical, managerial, interview skills, communication skills. He felt the time was now in light of the impending Chief's retirement. If they delay action, the decision has already been made.

Selectman Musmanno asked if this would effect promotions from within and make some officers ineligible? Mr. Balukonis said this excludes and restricts no one. Selectman Dziczek moved the article be placed on the warrant asking that everyone reflect on the pluses and minuses of this; Selectman O'Leary seconded; all aye.

Article 9: The next article requested funding for a Consultant to assist with the evaluation of candidates for the Police Chief position. Mr. Balukonis believed the cost would be around \$10,000. Selectman Dziczek moved to place the article on the warrant; Selectman O'Leary seconded. On the

MINUTES OF THE SELECTMEN'S MEETING  
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vote: Selectmen Dziczek and O'Leary – yes; Selectmen Musmanno and Rozanski – no; the article fails to appear on the warrant.

Article 10: This was to request funding for a Consultant to make recommendations concerning the Town's municipal classification and wage schedules. Mr. Balukonis said he would like to have a new plan in place by July 1, 2002 of a comparable study and page grades. He noted that similar titles do not mean similar positions, and recommended a full study for around \$25,000. If the Board chose not to place the article at this time, he would then defer the article to the annual town meeting for next year's appropriation. Selectman Musmanno suggested reviewing one department per year. Selectman Dziczek moved to place the article on the warrant; Selectman O'Leary seconded. On the vote: Selectmen Dziczek and O'Leary – yes; Selectmen Rozanski and Musmanno – no; the article fails to appear on the warrant.

Article 11: This was for funding the software for the Community Preservation Act, and was moved by Selectman Dziczek to appear on the warrant; seconded; all aye.

Article 12: Upper Charles study funding - already off the warrant.

Article 13: This was funding for schematic drawings for an addition to the Senior Center. Mr. Balukonis did not feel the additional funding was there. Selectman O'Leary moved the article be removed; Selectman Dziczek seconded. On the vote for not placing on the warrant: Selectman O'Leary, Rozanski, Musmanno – yes; Selectman Dziczek abstained; 3-0-1; the article fails to appear on the warrant.

Article 14: This was funding for ceilings and lights at the High School, money of which was available to be utilized according to School Committee Chairman Charlie Myers. Selectman O'Leary moved the article be placed on the warrant; Selectman Musmanno seconded; all aye.

Article 15: This was an article requesting any additional Chapter 70 monies that came to the Town to be utilized by the School Department for expenses. Mr. Myers reported that they might be in trouble with SPED expenses. Selectman Dziczek moved not to place the article on the warrant; Selectman Musmanno seconded. The vote: Selectman Dziczek, Musmanno, Rozanski – no; Selectman O'Leary – yes; the article fails to appear on the warrant.

Article 16: This article was to place money in stabilization and was moved to place on the warrant by Selectman Dziczek; Selectman O'Leary seconded; all aye. Mr. Balukonis commented that he did not believe free cash would be certified in time for town meeting.

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Article 17: This article called for \$40,256 being placed in the FinCom reserve. Selectman Rozanski felt funds would be needed for the various articles on the warrant, therefore, there would be no monies to transfer. Selectman Dziczek moved to place the article on the warrant; Selectman O'Leary seconded. The vote: Selectmen Dziczek and O'Leary – yes; Selectmen Rozanski and Musmanno – no; the article fails to appear on the warrant.

Article 18: This article dealt with various prior year's bills that have to be paid, and which will require a 9/10<sup>th</sup> vote. Mr. Balukonis stated he would ask that the Moderator read them as individual items. Selectman Rozanski requested the various items be listed as separate articles. All aye on the ten items appearing as ten articles.

Article 19: This article dealt with various transfers to fund accounts that were not sufficiently funded through the end of Fiscal Year 2002. Mr. Balukonis explained:

- 1) that the Planning Board line was to increase hours for the secretary from 19 to 30 hours to cover work that needs to be done;
  - 3) the other insurance account was underfunded and the bills are coming in;
  - 4) the revaluation line reflected what was appropriated and the difference remaining that is needed;
  - 5) the Alder Street line item was to complete the project now that the contractor has agreed to do the work and ConCom has signed off on the plan, and there are no remaining funds left (this could possibly wait until the Spring);
  - 7) the accountant's salary line he felt was meritable for the rating score he had done for the position.
- Line items 2 and 6 had previously been removed.

Again, Selectman Rozanski asked that the line items be separated into separate articles.

Selectman Musmanno moved to place line items 3, 4, and 7 on the warrant; Selectman O'Leary seconded. Selectman Dziczek asked why line item 1 does not remain since the Planning Board is swamped with work? Selectman Rozanski did not feel this was where they do this, and moved to strike line item 7 as well from inclusion; Selectman Musmanno seconded the amended motion, now leaving just line items 3 and 4. The vote: Selectman Dziczek – no; Selectmen Rozanski, Musmanno and O'Leary – yes; line item 7 is not included. On the main motion of only line items 3 and 4 appearing as separate articles on the warrant; all aye.

Article 20: This article was a citizens' petition for amending the zoning by-law and map by creating an extension of an existing Commercial

MINUTES OF THE SELECTMEN'S MEETING  
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District I on Holliston Street. Ms. Fredette confirmed that the signatures of at least 100 registered voters appearing on the petition had been certified by the Town Clerk. The article is, therefore, on the warrant.

All aye on the warrant articles as amended.

The revised warrant will be ready for the Selectmen's signatures by the close of day Wednesday.

- b. vote to approve H.O.P.E. boot drive. As this was done last year with no problems, Selectman Dziczek moved to approve the boot drive for H.O.P.E. Worldwide for a voluntary toll on October 20<sup>th</sup> from 8:00 a.m. to 3:00 p.m. at the intersection of Route 109 and Main Street at the Community Church; this was seconded. The vote: Selectmen Rozanski, O'Leary and Dziczek – yes; Selectman Musmanno – no; motion carries 3-1-0.
- c. vote to approve Cybex's permanent sign on Town property. Selectman Rozanski asked that this vote be delayed. Selectman Dziczek agreed asking what has been the reciprocation back to the Town from Cybex, and questioned if the intersection would be changing in the future affecting the sign's location? He also suggested that Cybex ask for another extension for the temporary sign until this issue was resolved by the Board.

10. Communications/correspondence/informational items.

- a. The Board acknowledged receipt of the analysis from Tata & Howard on wastewater alternatives in the Industrial Park.
- b. NStar's letter explaining the process to be followed in Medway for outages affecting over 500 customer hours was noted. Mr. Balukonis said NStar would be contacting him as to the plan they will have to restore power. Selectman Rozanski hoped there would also be a plan in place for restitution to customers for losses due to power outages.

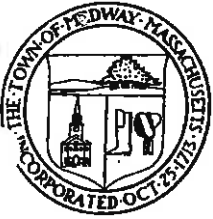
11. Dates to remember:

- Selectmen's next meetings on October 22<sup>nd</sup> and 29<sup>th</sup>, with the Special Town Meeting on November 5<sup>th</sup> at 7:00 p.m. at the High School.

12. Executive session – none required.

Respectfully submitted,  
M. J. Fredette  
Administrative Services Assistant

APPROVED  
10/29/01



**TOWN OF MEDWAY**  
**WARRANT FOR SPECIAL TOWN MEETING**

**NOVEMBER 5, 2001**

**THE COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK ss:**

To either of the Constables of the Town of Medway

**GREETING:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the Middle/High School auditorium on Monday, the fifth day of November 2001 at 7:00 p.m., then and there to act on the following articles:

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least fourteen (14) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

**Article #1:** To see if the Town will vote to amend the Zoning By-law of the Town of Medway by correcting SECTION V. USE REGULATIONS, Sub-Section M. INDUSTRIAL DISTRICT II, paragraph 1. as follows:

The second listed item (f) "Offices for business or professional use" is changed to:

"(g) Offices for business or professional use."

Or to act in any manner related thereto.

**Planning Board**

**Article #2:** To see if the Town will vote to amend the Zoning By-law of the Town of Medway by adding the following, in alphabetical order, to SECTION II. DEFINITIONS:

"Detention and Retention Basins -- Areas for the open collection and management of storm water. Area included as part of these basins shall include any area where slope of surrounding terrain is altered to create a berm or retaining wall."

Or to act in any manner related thereto.

**Planning Board**

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*add  
try  
add*



**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
NOVEMBER 5, 2001**

**Article #3:** To see if the Town will vote to amend the Zoning By-law of the Town of Medway by deleting the second and third sentences of the opening paragraph of SECTION V. USE REGULATIONS, Sub-Section C. SITE PLAN APPROVAL (as amended February 12, 2001) ~~which read as follows:~~  
*a inserting in place thereof the following:*

“This provision shall not apply to SINGLE FAMILY homes, including additions or enlargements, and TWO FAMILY homes, including additions or enlargements, which are permitted in the Agricultural and Residential District I and Agricultural and Residential District II as a matter of right. In all districts, no building shall be constructed, no exterior enlargement or substantial exterior alteration or any new use shall be allowed on a lot or tract of land until a site plan has been approved by the Board of Selectmen unless Site Plan Approval is specifically waived herein.”

Or to act in any manner related thereto.

**Planning Board**

**Article #4:** To see if the Town will vote to amend the Zoning By-law of the Town of Medway by replacing SECTION V. USE REGULATIONS, Sub-Section G. Commercial District I, paragraph 2, sub-paragraph g) Off-Street Parking, item #2 to read as follows:

“2) For each employee, an off-street parking space, and for each three seats in restaurants or other establishments providing food and beverages, at least one off-street parking space.”

Or to act in any manner related thereto.

**Planning Board**

**Article #5:** To see if the Town will vote to amend the Zoning By-law of the Town of Medway by amending SECTION V. USE REGULATIONS, Sub-Section T. Adult Retirement Community Overlay District, paragraph 4 Adult Retirement Community Planned Unit Development, sub-paragraph d) ARCPUD Open Space Standards as follows:

Add, to the end of the last sentence in item #1, the following language:

“or any impervious areas for the open collection and management of storm water.”

Add a new item #8 as follows:

“Drainage facilities (i.e. detention and retention basins) shall not be located in the open space areas. Dedicated open space may be utilized as natural courses for disposal of storm runoff from impervious surfaces. Other than minor berming (maximum 3:1 slopes which shall blend into the landscape) and riprap at pipe

A blue rectangular stamp with the word "DRAFT" in red, oriented vertically.

**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
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outflows, no significant disruption of the land (contour changes greater than three (3) feet) for drainage is permitted.

Add a new item #9 as follows:

"Open space shall be laid out to provide eco-corridors and other areas identified for open space preservation. Land within fifty (50) feet of any dwelling unit shall not be counted toward the open space acreage. Areas to remain as naturally-existing woods, fields, meadows and wetlands shall be maintained and a plan for funding the maintenance provided.

Add a new item #10 as follows:

"If the dedicated open space is not to be conveyed to the town, the applicant must provide a written program describing how the open space will be maintained in perpetuity to standards satisfactory to the Board. The applicant shall also provide an agreement empowering the town to perform maintenance of the open space in the event of failure to comply with the program. This agreement shall provide that, if the town is required to perform any maintenance work, the owner(s) of the open space shall pay the cost thereof and any unpaid costs shall constitute liens upon the homeowners' property until said costs have been paid."

Or to act in any manner related thereto.

**Planning Board**

**Article #6:** To see if the Town will vote to amend the Zoning By-law by adding the following provision to SECTION III – ADMINISTRATION, a new sub-section I. PLANNING BOARD ASSOCIATE MEMBER as follows:

**"I. PLANNING BOARD ASSOCIATE MEMBER**

There shall be added to the elected Planning Board an Associate Member, to be appointed for a two (2) year term ~~by the Town Administrator~~, for the purpose of sitting as a member of the Planning Board to hear and act on special permit applications in the case of the absence, inability to act, or conflict of interest, on the part of any elected member of the Planning Board or in the event of a vacancy on the Planning Board. At the discretion of the Planning Board Chairman, said Associate Member shall sit on the board for purposes of hearing and acting on special permit applications."

Or to act in any manner related thereto.

**Planning Board**

*Insert  
shall be  
jointly appointed  
by the Planning  
Board  
BOS*

  
**DRAFT**

**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
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**Article #7:** To see if the Town will vote to accept as public ways, the following streets all as shown on a plan or plans on file in the Office of the Town Clerk:

Dogwood Lane, in its entirety  
Pheasant Run road, in its entirety  
Quail Drive, in its entirety

Or to act in any manner relating thereto.

**Planning Board**

**Article #8:** To see if the Town will vote to exempt the position of Chief of Police from the provisions of M.G.L. Chapter 31, or to act in any manner relating thereto.

**Board of Selectmen**

**Article #9:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money necessary to hire a Consultant to assist with the evaluation of candidates for the position of Chief of Police as requested by the Town Administrator, or to act in any manner relating thereto.

**Board of Selectmen**

**Article #10:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money necessary to hire a Consultant in order to make recommendations concerning the Town's municipal classification and wage schedules, or to act in any manner relating thereto.

**Board of Selectmen**

**Article #11:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to acquire tax collection software necessary for implementation of the Community Preservation Act, or to act in any manner relating thereto.

**Board of Selectmen**

**Article #12:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to support the Upper Charles River Watershed's study to determine the total maximum daily loads in the Upper Charles River Watershed, or to act in any manner relating thereto.

**Board of Selectmen**

**Article #13:** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$3,000.00 to provide initial architectural services, including development of schematic drawings, for an addition to the Medway Senior Center, or to act in any manner relating thereto.

**Council on Aging  
Medway Municipal Building Committee**



**DRAFT**

**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
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**Article #14:** To see if the Town will vote to transfer from available funds the sum of \$14,215.00 for the purpose of repairing/replacing ceilings and interior lights in Medway High School, or to act in any manner relating thereto.

**School Committee**

**Article #15:** To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money for the Fiscal Year 2002 School Department expenses, or to act in any manner relating thereto.

**School Committee**

**Article #16:** To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to the Stabilization Fund, or to act in any manner relating thereto.

**Finance Committee**

**Article #17:** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$40,256 to the FinCom Reserve Fund, or to act in any manner relating thereto.

**Finance Committee**

**Article #18:** To see if the Town will vote to raise and appropriate, or transfer from available funds the following sums of money for the purpose of paying a prior year's bill, as provided for in General Laws Chapter 44, Section 56, or to act in any manner relating thereto:

<u>Item</u>	<u>Transfer From</u>	<u>Amount</u>	<u>Transfer To</u>
#1	available funds	\$3,161.25	DPS Expense Account
#2	available funds	\$ 29.00	DPS Expense Account
#3	available funds	\$ 12.00	DPS Expense Account
#4	available funds	\$3,000.16	DPS Expense account
#5	available funds	\$ 96.00	Building Department Salary Account
#6	available funds	\$ 65.00	DPS Salary Account
#7	available funds	\$ ???	Fire Department Expense Account
#8	available funds	\$ 14.00	Law Account
#9	available funds	\$ 269.52	Selectmen's Expense Account
#10	available funds	\$ 431.87	Selectmen's Expense Account

**Various Departments**

**Article #19:** To see if the Town will vote to raise and appropriate, or transfer from available funds the following sums of money for the purpose of making funds available in line item accounts not sufficiently funded through the end of Fiscal Year 2002, or to act in any manner relating thereto:



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**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
NOVEMBER 5, 2001**

<u>Item</u>	<u>Transfer From</u>	<u>Amount</u>	<u>Transfer To</u>
<del>#1</del>	<del>available funds</del>	<del>\$ 5,800.00</del>	<del>Planning Board Salary Account</del>
<del>#2</del>	<del>available funds</del>	<del>\$ 2,178.00</del>	<del>Selectmen's Salary Account</del>
<del>#3</del>	<del>available funds</del>	<del>\$22,132.00</del>	<del>Other Insurance Account</del>
<del>#4</del>	<del>available funds</del>	<del>\$ ???</del>	<del>Assessors Revaluation Account</del>
<del>#5</del>	<del>available funds</del>	<del>\$28,000 40,000</del>	<del>Alder Street Project Account</del>
<del>#6</del>	<del>available funds</del>	<del>\$ ???</del>	<del>Stabilization Fund</del>
<del>#7</del>	<del>available funds</del>	<del>\$ ???</del>	<del>Accountant's Salary Account</del>

**Various Departments**

**Article #20:** To see if the Town will vote to amend the town of Medway Zoning Bylaw and Official Zoning Map by creating an extension of an existing Commercial District I, extending along the easterly side of Holliston Street from an area currently zoned Residential, northerly approximately 85.00 feet, then easterly 287.64 feet along property line, southerly 85.00 feet to approximate zone line, westerly approximately 300.00 feet along approximate zone line, to Holliston Street, all shown on the attached plan marked Exhibit A "Proposed Zoning", or to act in any manner relating thereto.

**Citizens' Petition**

  
**DRAFT**

**TOWN OF MEDWAY  
SPECIAL TOWN MEETING WARRANT  
NOVEMBER 5, 2001**

Given under our hands in Medway, this 15<sup>th</sup> day of October 2001.

**A TRUE COPY:**

**SELECTMEN OF THE TOWN OF MEDWAY**

\_\_\_\_\_  
John Williams, Chairman

\_\_\_\_\_  
Raphaela Rozanski, Vice-Chairman

\_\_\_\_\_  
Mary O'Leary, Clerk

\_\_\_\_\_  
Joseph Musmanno, Member

\_\_\_\_\_  
Joseph Dziczek, Member

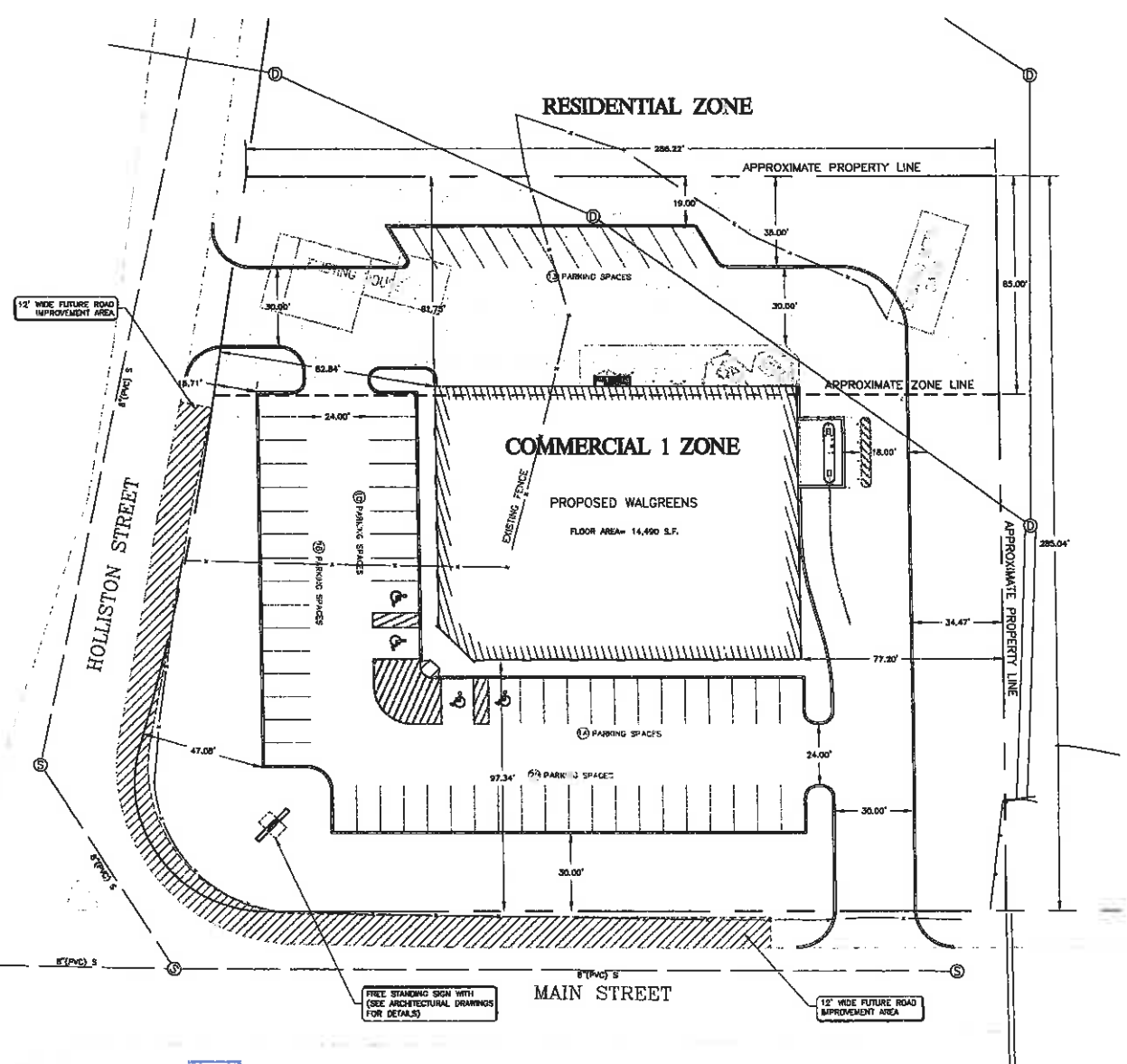
**ATTEST:** \_\_\_\_\_  
Michael J. Heavey, Constable

mj

  
**DRAFT**

Exhibit A-Proposed Zoning

**DRAFT**

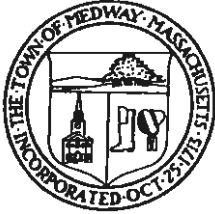


**MAP REFERENCE:**

1. MAP ENTITLED: "EXISTING CONDITIONS INTERSECTION OF MAIN AND HOLLISTON STREETS MEDWAY, MA." - DATED: 8-15-01 - SCALE: 1"=20' - PREPARED BY: BRUCE SALUK & ASSOCIATES, INC. CIVIL ENGINEERS & LAND SURVEYORS 578 BOSTON POST ROAD MARLBOROUGH, MA 01752

NOT RELEASED FOR CONSTRUCTION

PROJ. MANAGER		FUS & O'NEILL, INC. Consulting Engineers 145 HARTFORD ROAD, MARLBOROUGH, MASSACHUSETTS 01503 (508) 445-2199	
CHIEF DESIGNER	REVIEWED	BY	DATE
SURVEY			
SITE			
STRUCTURAL			
REVISION DATE:			
Δ	Δ	Δ	Δ
Δ	Δ	Δ	Δ
DATE:	DATE:	DATE:	DATE:
SCALE:	1" = 20'		
MAIN STREET		MEDWAY, MA	
JOB NUMBER	PHASE	DATE	SHEET NO. 1 OF 1
		09/27/01	



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281

### AGENDA

#### BOARD OF SELECTMEN

SANFORD HALL

OCTOBER 1, 2001

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of September 17, 2001.
  - Executive session minutes of September 17, 2001.
- 7:05- Treasurer/Collector Barbara Walls resigning of no-kr.
3. Public comments.
4. Town official updates.

7:15 p.m. - Sue Bouchard, Disability Commission.

Re: Increasing parking fines and general info.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.

8:00 p.m. – David Travalini, Conservation Commission.

Re: Acceptance of nine acres of land on Milford and Summer Streets from Dearview Properties for the Town on behalf of the ConCom; and proposed acceptance of Parcel B owned by Scott Power on Village Street.

8. Discussion items.
  - Selectmen and Town Administrator goals.
9. Action items.
  - Discuss, approve and vote on mailbox policy.
  - Vote to accept gift of asphalt paving work.
  - Sign common victualler license for June's Place (formerly Donut Depot).
10. Communications/correspondence/informational items.
  - Composition of Community Preservation Committee.
  - Calendar of events.
  - Revised FinCom Budget Calendar.
  - Thank you letter from Town of Franklin.
  - MMA letter on *Always Remember 9-11* Fund.
  - MMA Regional meetings update.
  - Thank you letter from The Shelter Island Fund.
11. Dates to remember:

Selectmen's next meetings – October 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>; Closing of Special Town Meeting warrant – October 5<sup>th</sup> at 1:00 p.m.; Special Town Meeting – November 5<sup>th</sup> at 7:00 p.m.

12. Executive session (if required).

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

cc: Aub  
Jen



MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman Mary O'Leary was not in attendance.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

Selectman Rozanski moved approval of warrant #14 in the amount of \$659,562.59; Selectman Dziczek seconded; all aye.

7:05 p.m. – Treasurer/Collector Barbara Walls came to ask the Board to sign notes for borrowing for the new high school totaling \$1.5 million for engineering and architecture. She noted only \$450,000 has been borrowed so far, but the \$1.5 million had been spent with the additional funds coming out of the general fund and needs to be replenished now. Ms. Walls believed they would be borrowing an additional \$4.5 million at the end of the month which would take care of any payments until March, and then go out to borrow more then. The notes were signed and notarized by Assistant Town Clerk Pat Sampson who was present.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of September 17<sup>th</sup>; Selectman Musmanno seconded; all aye.

- Selectman Williams moved approval of the executive session minutes of September 17<sup>th</sup> to be released; Selectman Rozanski seconded but suggested they not be released; Selectman Williams amended his motion not to release; seconded; all aye. Selectman Williams indicated these minutes could be released when the executive session minutes of September 10<sup>th</sup> are released.

3. Public comments – none.

4. Town official updates – none.

- Selectman Williams did take this opportunity to make note of the members of the recently formed Community Preservation Committee: Joe Dziczek, Mark Tagliaferro, Al Magliaro, Ken McKay, Heather Scott, Dan Hooper, Richard Coakley, Mark Winer, Mark Cerel.

7:20 p.m. – Sue Bouchard, Chairman of the Disability Commission, came to meet with the Board, along with Commission member Steve Bridges.

Ms. Bouchard provided the Board with information going back to 1990 when the Town voted to accept the provisions of MGL Chapter 40, Section 22A for parking

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

fines. She noted that they only have three people on the Commission at this time, and really could use additional members as they should have a minimum of five. She indicated the Commission was formally petitioning the Board to increase the parking fines adopted at the Town Meeting on May 14<sup>th</sup> of this year. In speaking to Chief Lambirth, he had indicated that the Board should set the fines and the Police would enforce them.

Concerning the tickets that have been issued, Ms. Bouchard felt that not many had been written in the seven years of the Disability Commission, possibly 20 tickets in 11 years. This did not provide them much of an account to draw off to sponsor educational seminars town-wide or for businesses. They had hoped that the money they received from fines would be their budget, and nothing further would be required. However, she asked the Board to encourage the Police Department to enforce the handicapped parking laws.

Selectman Rozanski felt it was better to set a budget and then appropriate the funding, and suggested a work program be determined.

Selectman Dziczek inquired, with the upcoming special town meeting, would it be appropriate to sponsor a warrant article as a means of allocating the needed money quickly? He also asked if Mr. Balukonis could check into the number of complaints made to the Police Department on parking violators.

Selectman Musmanno agreed the Commission could utilize funding right now, but did not feel that parking in handicapped spaces should be treated the same as parking near a fire hydrant.

Ms. Bouchard indicated if the fines were increased, the Commission should be able to operate more efficiently.

Mr. Bridges and Jack Keller, who was in the audience, noted the number of times people have been observed parking in the fire lines. Pictures have been taken of violators and turned over to the Registry for follow-up

Selectman Rozanski moved that the Board increase the fine for parking in violation of the handicapped spaces for a first offense to a minimum of \$100; Selectman Dziczek seconded but asked if Selectman Rozanski meant "minimum" or "set"? Selectman Rozanski moved to amend by striking the word "minimum" and changing it to "set"; Selectman Dziczek seconded; all aye. She also noted that some of the signs are not well-marked or some of the areas are not discernable, and may also not be located in the right spots.

Selectman Williams moved to approve a second offense violation fine of \$200; Selectman Dziczek seconded. Selectman Williams asked how will the second offenders be known, and Ms. Bouchard noted the Police Department can track it.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

On the vote: Selectman Musmanno – no; Selectmen Williams, Rozanski, Dziczek – yes; motion carries 3-1-0.

Selectman Williams moved to approve a third offense violation fine of \$300; Selectman Musmanno seconded, but asked if business are private property, are the Police authorized to enforce on private property, or only on public property? Selectman Dziczek believed when it concerns a common area for the public, it should be enforceable. Selectman Rozanski felt the \$300 for a third offense was too excessive, and Selectman Dziczek felt it could be revisited another time. The vote: Selectmen Williams and Musmanno – yes; Selectmen Rozanski and Dziczek – no; motion does not carry 2-2-0.

Selectman Musmanno moved to direct the Town Administrator to discuss the parking fines with the Police Chief and give authority to the Police Department to implement the new fines, and to open discussion with the Police Department concerning the actual ticketing process and why more tickets were not issued in the past; Selectman Rozanski seconded.

Ms. Bouchard went back to the third offense fine. Selectman Rozanski moved that the second offense and all other subsequent fines be set at \$200; Selectman Dziczek seconded; all aye 4-0-0.

Mr. Bridges requested that someone from the Access Board look over the plans for the new high school in regard to sidewalks and curb cuts. He also noted that Sgt. Tingley was the civil rights officer for the Police Department. Selectman Rozanski suggested a formal letter be sent to the Municipal Building Committee asking that this review be done on their behalf. Selectman Williams thought it might be good to have the Police Department on the Board's agenda in a month or two. It was then suggested that the protocol be left with the Town Administrator for handling.

8:00 p.m. – David Travalini, Chairman of the Conservation Commission, came to meet with the Board concerning their accepting the nine acres of land on Milford and Summer Streets from Dearview Properties for the Town on behalf of the ConCom.

Mr. Travalini stated that the donation of land was written into the Order of Conditions, and ConCom has since voted to accept the land. Selectman Dziczek inquired if there was an area for parking nearby? Mr. Travalini believed there was a path that could be utilized. Selectman Musmanno asked what would happen to the land if the Town did not accept it? Mr. Travalini felt it would revert back to the Association and could possibly be developed later.

Selectman Rozanski believed the ZBA decision included an access, but did not think it was a problem since the land was to be used for passive recreation. She moved to accept the nine acres of land on Milford and Summer Streets for the Town on behalf of the ConCom; Selectman Dziczek seconded; all aye 4-0-0.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

With regard to the proposed acceptance of Parcel B owned by Scott Power on Village Street, Selectman Musmanno moved to table acceptance of the parcel near 311 Village Street pending a release of the mortgage or until other documentation is received. Mr. Travalini explained this was the lot closest to the Police Department which did not have access to the river, so Mr. Power said he would donate the land to the Town so there was access. He noted how Mr. Power was fixing up the dam, the generating facility and sluiceway. Selectman Williams tabled Selectman Musmanno's motion; all aye 4-0-0.

5. Report of the Town Administrator.

- Mr. Balukonis reminded everyone that the special town meeting warrant closed at 1:00 p.m. on Friday, October 5<sup>th</sup>.
- With regard to the high school project, Mr. Balukonis provided the dates for the bidding process. Pre-bidding was set for November 19<sup>th</sup>; sub-bids December 4<sup>th</sup>; and general bids December 18<sup>th</sup>, with a bid award in thirty days which would be by the end of January.
- Mr. Balukonis reported there was vandalism at Choate Park over the weekend and was being investigated by the Police Department.

6. Reports of the Selectmen.

- Selectman Rozanski:
  - stated there was still no budget until probably November.
  - spoke to Representative Loscocco concerning the Summer Street project. It will probably be delayed, and they need to pursue this issue every week
  - she and Selectman Williams went to the SMOC open house.
  - she attended the DOR Seminar on Municipal law where there was a lot of discussion about the Community Preservation Act and its funding. Thirty-one communities are on board with it and noted it was important to support the Assessors to collect the money.
- Selectman Dziczek asked Mr. Balukonis about the Community Preservation Committee itself and should they get together and come up with a mission statement, goals? Selectman Rozanski clarified that the funding cannot be appropriated at town meeting without a recommendation from the Committee. Mr. Balukonis said he would make contact with the Committee in the next couple of weeks. A reminder from Selectman Dziczek that the meeting be posted. No other reports from Selectman Dziczek.
- Selectman Musmanno had no reports.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

7. Report of the Chairman.

- Selectman Williams just reiterated the SMOC open house that he and Selectman Rozanski attended and that there is free assistance available. He provided a toll free number for people to call, that being: 1-800-224-5125. He also noted they were the only Selectmen in attendance.

Selectman Rozanski read the letter being sent to Mayor Guiliani in New York on the recent tragedy that occurred there. It was also suggested that a similar letter be sent to the Mayor of Arlington, Virginia, and the Board would sign that at their meeting on October 15<sup>th</sup>.

8. Discussion items.

- Selectman Williams started the discussion of Selectmen and Town Administrator goals. He had asked Board members to email their goals to him, but first he went over the Town Administrator's goals, previously submitted, which included:

- establishment of written financial policies and procedures.
- complete development of the Town of Medway Internet website.
- provide the highest quality customer service in all areas.
- assume a leadership role in the completion of key capital projects.
- fulfill critical aspects of the human resource manager function.

Selectman Williams then went over his goals, previously submitted, which included:

- publishing of Board goals, objectives, mission statement.
- determine funding for sidewalks and roads for next ten years.
- mailing of the special town meeting warrants.
- records management preservation.
- mailbox policy.
- updating the pay classification plan.
- a redesigned budget format.
- cross training of employees.

Selectman Williams also brought up other areas of concern from previous meetings, which included:

- maintenance of Town grounds/buildings.
- FinCom appointments.
- EMS/enterprise funding
- annual town report.
- different times/dates of Selectmen's meetings.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

- public accommodations.
- affordable housing
- forming a Medway foundation.

Selectman Williams then went over some of the goals Selectman O'Leary had sent to him, which included:

- to be "pro-active" rather than "re-active".
- team spirit.
- communication on Medway's "positive attributes".
- broadcasting of emails.
- funding for grants
- group everyone together to share ideas.
- minutes of town meeting.
- less Selectmen's meetings.

Selectman Musmanno reviewed some of his mission statements, which promulgated his goals and objectives, which included:

- act as architect and manager of Town government to boards, be involved with citizens, determine if some boards can be consolidated or dismantled.
- liaison for citizens into Town government, review how complaints are handled.
- provide a safe infrastructure for the Town, noting needs of departments.
- protect the quality of life and property of the Town.
- maintain the master plan.

Selectman Williams asked Mr. Balukonis to try and consolidate what they had all submitted, as well as looking at the overall debt load. Selectman Musmanno noted all boards have agendas but there needs to be cohesiveness.

Selectman Rozanski felt, with all things that have been said and brought up, the Board gets their marching orders from the people. They need to have communication and access, more educational forums for interaction, and team management with the Board and the Town Administrator. She wondered what the residents expect of Town government, and maybe that question could be posed on the website. Possibly, annually they should recharge the groups for a work program. She also said she would like to see an organizational chart.

Selectman Dzikczek added to the discussion with his goals, which included:

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

- looking at the bigger picture, as it related to the amount of land available in the Town, what is available for mixed use, letting the landowners know we want to match land offers they receive.
- research and review growth in the area.
- think ahead to where the Department of Public Services building would have to move to in the years ahead.
- review the master plan.

Selectman Williams agreed it would be good to look at the housing situation in Medway, and when committees meet with the Board, to ask them where they will be in a few years.

Mr. Balukonis stated he would take their input, put it in a timeframe, and try and come back in a couple of weeks with a synopsis.

9. Action items.

- The Board noted receipt of a common victualler license for June's Place, formerly known as Donut Depot as a change in ownership from Galante's to Eric Kirby. Selectman Rozanski moved to approve the common victualler license to Kirbco Inc., D/B/A June's Place, 122 Main Street, Medway, expiring on December 31, 2001; Selectman Dzikczek seconded. Selectman Rozanski asked Mr. Balukonis to check if site plan approval was needed. All aye on the motion 4-0-0.
- The Board was in receipt of a letter from Steve Bevilaqua Paving donating asphalt paving work to the Town at the Middle and the McGovern Schools. DPS Director Lee Henry and Mr. Balukonis both agreed the Town should accept his gracious offer. Selectman Rozanski moved to accept Bevilaqua's offer as outlined in the scope of Mr. Bevilaqua's and Mr. Henry's letters, subject to normal construction procedures for safety; Selectman Williams seconded. Selectman Rozanski inquired if any permits were required. Mr. Balukonis indicated a street opening permit was required if work was being done in the public way, but since this was not, no permit was needed, and all would be coordinated with the schools. All aye on the motion 4-0-0. Selectman Dzikczek asked that an acknowledgement and "thank you" be sent to Mr. Bevilaqua. Selectman Musmanno also asked that an evaluation of the value of the work be done with a receipt indicating the work done on behalf of the Town.
- The Board proceeded with a second reading of the mailbox policy that Mr. Balukonis had proposed. Selectman Musmanno stated he had only heard from Wendy Rowe, and the thought was expressed that some mailbox replacements are in excess of \$25. Selectman Williams acknowledged a letter from Paul Quinn commenting that "...it was

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

about time the Town accept responsibility for any damage to homeowner's property as the result of plowing..." even though he felt the \$25 was insufficient. Selectman Rozanski read Mr. Quinn's letter, and felt there was enough flexibility with some discretion from the Town Administrator upon review for installation costs, while setting a fixed amount.

Selectman Musmanno knew people liked to personalize their mailbox, or put up more expensive ones, and that was a risk they would be taking. He felt they should make a decision on a fixed cost, and possibly suggest the Town's offering of assistance on installation.

Highway Foreman Jim Smith was in the audience and noted that hired plows carry insurance, and wondered if they would be liable. Selectman Dziczek stated that the Town's original position was that we were not responsible when there was heavy snow to move, unless we did some actual damage. Then an investigation/review would have to be conducted to ensure who is at fault.

Selectman Rozanski asked if there should be an appeal process, and both Selectman Dziczek and Williams said no. Selectman Williams felt some people wanted to come to the Board for fact-finding, but he felt it should be to the Town Administrator, although Selectman Musmanno thought more should be handled by boards than individuals. Selectman Rozanski suggested the "Reviewed by" on the reimbursement request be the Town Administrator, and indicate his recommendation and action taken. Selectman Dziczek agreed one person should be more consistent than five individuals.

Mr. Balukonis said he would include a sign-off by him on the form and take some of the pressure off the Board insofar as a timely answer is concerned. He agreed that the Town Administrator is the right person to handle this, ensuring that DPS and the Police first review the reimbursement request, get his recommended action, sign the form, attach it to a voucher if appropriate, and respond to the resident.

Selectman Williams requested a separate line item for DPS mailbox replacements on the appropriation sheet.

Selectman Rozanski asked that all the reimbursement requests with action taken be placed in a notebook for the Board to review.

Selectman Dziczek noted that the policy is subject to review, so the dollar amount and procedure could be revised next year.



MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 1, 2001

Mr. Smith noted that during the winter months, it is too difficult to dig a hole to place a post in the ground, but the process could be a two-step process beginning with putting the post in a bucket for a temporary fix.

Selectman Musmanno moved to accept the mailbox replacement policy as written and read by the Chairman; Selectman Dziczek seconded. Selectman Rozanski wanted to be assured that the Board's changes were incorporated into the form including: the names of the people reviewing the request, and the Town Administrator's recommended action. Selectman Dziczek moved that the motion be amended to strike the line, "only one reimbursement request per address will be accepted for each winter season"; Selectmen Williams seconded the amendment. The vote: Selectman Musmanno – no; Selectmen Williams, Rozanski, Dziczek – yes; motion to amend carries 3-1-0. To the main motion, all aye 4-0-0.

10. Communications/correspondence/informational items.

- The Board acknowledged the various pieces of communication received.

11. The Board noted the upcoming dates to remember.

12. Executive session – none required.

10:25 p.m. – Selectman Musmanno moved the meeting be adjourned; Selectmen Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

10/15/01  
APPROVED



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281  
**REVISED AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**SEPTEMBER 17, 2001**

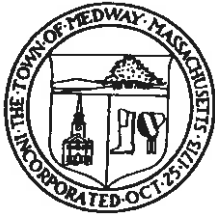
7:00 p.m. – Open meeting.

7:05 p.m. – Adjourn to executive session.  
Re: reason #3, litigation

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of September 10, 2001.
  - Executive session minutes of September 10, 2001.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - a. discuss Town Administrator and Selectmen goals.
  - b. review proposed mailbox policy.
  - c. review response from Town Counsel on railroad bed litigation.
9. Action items.
  - a. vote on proposed changes to liquor policy.
  - b. approve Franklin sewer amendment.
  - c. sign letters to Rep. Loscocco and Sen. Magnani.
  - d. sign letter on dog hearing.
10. Communications/correspondence/informational items.
11. Dates to remember:  
Selectmen's next meetings – September 24<sup>th</sup>, October 1<sup>st</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>.
12. Executive session (if required).

\*all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*Ci: AUB  
JRM*



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281  
**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**SEPTEMBER 17, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
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3. Public comments.
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11. Dates to remember:  
Selectmen's next meetings – September 24<sup>th</sup>, October 1<sup>st</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>
12. Executive session.
  - Reason #3, litigation.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 17, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman O'Leary arrived at 7:15 p.m.

7:01 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

- Selectman Rozanski moved that the Board approve and sign warrant #12 in the amount of \$619,475.17; Selectman Williams seconded; all aye.

- Selectman Williams suggested the Board postpone discussion of Selectmen and Town Administrator goals (under discussion items – 8a.) for two weeks and to place it on the agenda for October 1<sup>st</sup>.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of September 10<sup>th</sup>; Selectman Musmanno seconded; corrections were made; aye as amended. Selectman Dziczek abstained. The vote: 3-0-1.
- Selectman Williams moved approval of the executive session minutes of September 10<sup>th</sup>, but not to be released; Selectman Rozanski seconded with an amendment; ay-as amended. Selectman Dziczek abstained. The vote: 3-0-1.

- The Board signed the letter to the Pimentals on the action taken at the dog hearing during their meeting of September 10<sup>th</sup> (under action items – 9d).

- Mr. Balukonis presented an agreement between the Towns of Franklin and Medway and CRPCD concerning the extension of the sewer line on Populatic Street (under action items – 9b). He noted the benefits to the Town including sewer service to Medway residents and the proximity to the well site. Selectman Rozanski inquired about the collection of fees, which Mr. Balukonis was unsure of at this time. Selectman Dziczek asked about the street opening permit requirements, and Mr. Balukonis assured him of full pavement restoration. When asked about the other co-signers on the amendment, Mr. Balukonis said all had been given a copy.

7:15 p.m. – Selectman Rozanski moved to adjourn to executive session for reason #3, for discussion with respect to strategy of on-going litigation if an open meeting may have a detrimental effect on the Town's litigation position, to return to open session; Selectman Williams seconded; all aye. The vote: Selectman Dziczek – aye; Selectman O'Leary – aye; Selectman Musmanno – aye; Selectman Williams – aye; Selectman Rozanski – aye.

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8:25 p.m. – The Board reconvened the meeting in open session.

Selectman Williams stated that the Board took action on documents in their possession and they will be available tomorrow morning.

3. Public comments – none.
4. Town official updates – none.
5. Report of the Town Administrator.

With regard to the truck exclusion request by Holliston on Medway's Clark Street and Holliston's South Street, Holliston has asked that the Board request the Norfolk County Engineers to do a 24-hour truck count on those streets. Selectman Rozanski so moved; Selectman O'Leary seconded; all aye.

Mr. Balukonis stated he would be contacting the State Ethics Commission for a training program for employees. He will be suggesting two sessions: one during the day for employees, and one during the evening for appointed and elected officials.

Mr. Balukonis also said he will be updating the special municipal list to make sure all volunteers are protected from the conflict of interest law. The Board will be asked to vote on those individuals, and was suggesting to possibly continue doing it on an annual basis.

6. Reports of the Selectmen.

Selectman Rozanski reported the MMA Board meeting had been cancelled; still not budget – possible 6-8 weeks more.

Selectman Musmanno had none.

Selectman O'Leary commented on how nice the flags up in Town looked.

Selectman Dziczek brought up various issues:

- asked Mr. Balukonis to check on the tree in front of Town Hall and the flag being in conflict with one another.
- provided the Board some information on the next hazardous collection days. He noted eight permits would be issued for each of the two events: on September 29<sup>th</sup> in Sherborn from 9 a.m. to 1 p.m.; and the other on October 13<sup>th</sup> in Norfolk from 9 a.m. to 1 p.m. The permits are issued by the Board of Health and said they

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could be contacted for further information at 533-3206. A suggestion was made to team up with others.

- indicated he had been sworn into office for the Community Preservation Committee.
- brought up the idea that was started last year of bringing various boards and committees in to meet with the Selectmen. He suggested they consider doing this again, as a means of updating the Board on their activities.
- suggested the Beacon as a source of a variety of good information for boards and committees.
- commented that the Fire and EMS Association had raised over \$27,000 in their boot drive.

- Selectman O'Leary forgot to mention that the affordable housing applications for the condos on summer Street are available at the Town Clerk's office and at the Library. She briefly outlined some of the criteria: must be a Medway resident; is open to full-time Town employees; income between \$34,000 and \$50,000; and can afford a monthly mortgage payment of \$1,100.
- Mr. Balukonis suggested when various boards are invited in, that they are asked to provide an update on the master plan as it pertains to them. He thought a copy of the specific items of the master plan could be included with the letter of invite.

Selectman Rozanski suggested for future all boards meetings a theme, i.e. financial people and groups dealing with the financial picture; planning, zoning, conservation groups dealing with land issues.

7. Report of the Chairman.

Selectman Williams reflected on how trivial some of the matters brought before the Board seem in light of the tragedy that recently occurred, but it represented our way of life and it has brought America together. He also noted seeing Attorney General Tom Riley's letter on the web regarding the treatment of people, and a reminder that all of them are Americans, including Muslims and Arabs.

Selectman Rozanski suggested Mr. Balukonis draft a letter of condolences to Mayor Guliani in New York.

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Selectman Williams acknowledged receipt of a 4' x 6' flag from Rep. Jim McGovern which was flown over the Capitol. He noted that the Congress is encouraging citizens to fly the American flag for thirty days after the date of the resolution, which is September 13<sup>th</sup>.

8. Discussion items.

- a. Already discussed.
- b. Selectman Williams indicated this was a first reading of the mailbox policy, and suggested it be placed on the agenda for a second reading and vote on October 1<sup>st</sup>. He also noted that some of the affected people could be present at this meeting. Selectman Dziczek felt that some mailboxes should be identified as non-reimbursable, i.e., those overhanging the road and those that were already dilapidated. Selectman Williams agreed that it was good to show there was a policy in place. Selectman Musmanno thought the sentence, "upon investigation of the circumstances involved..." should be emphasized to allow different case-by-case situations. Selectman O'Leary asked about the Post Office, and Selectmen Musmanno and Dziczek both thought there were guidelines, i.e. height and setback requirements. Selectman Rozanski liked the mailbox reimbursement request and policy the way they were presented, but wondered who handles the requests and checks them out? Mr. Balukonis believed people could be referred to the office where a claim form would be available for them. He would be concerned if every mailbox on a street was damaged, and would investigate it personally and ensure speed limitations were still in place.
- c. Selectman Williams brought up the request of Dave Newton of Rob Way who wanted to be apprised of the situation with the railroad bed and the results of the litigation. He made mention that Town Counsel has stated that a settlement was reached between the Town and the residents, but it was contained in the settlement agreement that neither party would discuss or make public the terms of the agreement. The agreement is, however, a matter of record at the Land Court. Mr. Balukonis was requested to send a letter to Mr. Newton regarding the above.

9. Action items.

- a. The Board discussed the existing liquor policy and proposed changes. Selectman Rozanski moved to approve the addition of a liquor policy acknowledgement form to accompany the liquor policy; Selectman Dziczek seconded. Selectman Musmanno moved to amend that motion by deleting the first two sentences under I.3, and leaving the

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remaining two sentences in place; Selectman Rozanski seconded; all aye on the amended motion. Back to the main motion, to amend the liquor policy to include the acknowledgement form with the new paragraph I.3; this was seconded; all aye 5-0-0. Some discussion on requiring the server/seller to be trained before being hired, but it was agreed the manager was the one responsible for his employees. Mr. Balukonis noted there was no State requirement to do so.

b. Already done.

c. Already done.

d. Already done.

- Selectman Williams brought up the proposed draft of the budget calendar. He noted that Mr. Balukonis and the FinCom may work up a schedule, but it needs to be approved by the Board of Selectmen, as does the budget format.
- Selectman Rozanski reminded Board members of the MMA annual meeting to be held on January 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup>, with registration being required and urged the Board to attend.

10. Communications/correspondence/informational items.

- Selectman Williams acknowledged an invitation from SMOC for Board members to attend their meeting on September 25<sup>th</sup>.

11. Dates to remember:

- Selectmen's next meetings – September 24<sup>th</sup>, October 1<sup>st</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>.

12. Executive session – none required.

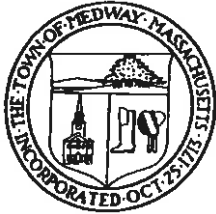
9:25 p.m. – Selectman Dzieczek moved the meeting be adjourned; Selectman Rozanski seconded; all aye.

Respectfully,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
10/1/01





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

### AGENDA

BOARD OF SELECTMEN  
SANFORD HALL  
SEPTEMBER 10, 2001

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Jessica McGrath  
re: solicitor's permit.

7:15 p.m. – Dog Hearing with Brenda Hamelin, Animal Control Officer.  
re: Sayber Blue

8:00 p.m. – Community Preservation Committee citizens-at-large candidates.  
- Mark Cerel – confirmed.  
- Bruce Hamblin – unconfirmed at this time.  
- Mark Winer – unconfirmed at this time.

8:20 p.m. – Introduction of Town's first full-time firefighters/EMT's by Town Administrator.

8:30 p.m. – Mark Flaherty, Water/Sewer Superintendent.  
re: Franklin Sewer connection.

2. Approval of minutes.  
- Regular meeting minutes of August 27, 2001.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - a. liquor policy.
  - b. attendance at Norfolk County Selectmen's Association annual meeting.

cc: AUB  
JW

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9. Action items.
  - a. vote to hold a Special Town Meeting on November 5<sup>th</sup> at 7:00 p.m.
  - b. open Special Town Meeting warrant this evening; close warrant on October 5<sup>th</sup>.
  - c. appoint Richard Coakley to the Affordable Housing Committee.
10. Communications/correspondence/informational items.
  - a. letter from Rep. Parente on Chapter 40B.
  - b. letter from Gov. Jane Swift on school funding.
  - c. update on West Nile Virus.
11. Dates to remember:  
Selectmen's next meetings – September 17<sup>th</sup>, 24<sup>th</sup>, October 1<sup>st</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>.
12. Executive session (if required).

Please note: Selectman Dziczek will not be in attendance.

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

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Present: Selectman John Williams, Raphaela Rozanski, Mary O'Leary, Joseph Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. Selectman Joe Dziczek was not in attendance.

7:00 p.m. - Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

Selectman Williams moved that the Board approve and sign warrant #11 in the amount of \$776,669.92; Selectman Rozanski seconded; all aye.

7:05 p.m. -- Jessica McGrath came before the Board to request a solicitor's permit to sell educational materials. She stated she would be canvassing the Town until September 24<sup>th</sup> for the Southwestern Company.

Dick Coakley was present to recommend the Board approve the permit. He noted that he usually hosts three college students every summer, and this year, the students were from the University of Washington. They all sell the same educational materials, and have never had any problems.

Selectman Rozanski moved to approve the solicitor's permit to sell educational materials for Southwestern Company through September 24<sup>th</sup> during daylight hours only; Selectman O'Leary seconded; all aye.

- It was noted that Marion Cole was present in the audience as the liaison to the School Committee. The other representative is Charlie Myers.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of August 27<sup>th</sup>; Selectman Musmanno seconded; all aye.

6. Reports of the Selectmen.

- Since there was a little time before the dog hearing, Selectman Rozanski spoke of attending the recent SWAP meeting where there was a discussion on the MPO and the TIP list. ~~She~~ recalled receiving a pledge <sup>from</sup> Rep. Loscocco to support sidewalks in the area of the new high school. It is recognized and is in the supplemental pages, but with no defined funding. Selectman Rozanski suggested Mr. Balukonis draft a letter to Rep. Loscocco continuing seeking his support. Selectman O'Leary also suggested Sen. Magnani be included. The Board agreed on the letters.

AND

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Selectman Rozanski noted that part of the Route 109 reconstruction project is on the TIP list, however, it stops at Lee Lane in Medway, with the Town not having any other approved road projects. She said that priorities have now been changed with the high school sidewalk on Summer Street. Selectman Rozanski indicated that SWAP has asked that the entire 109 corridor be looked at.

7:15 p.m. - Animal Control Officer Brenda Hamelin approached the Board concerning a dog hearing relative to Sayber Blue owned by Nancy and Jim Pimental of 163 Lovering Street. Mr. and Mrs. Pimental were present.

Selectman Williams stated the reasons why the hearing was being held. He opened the hearing and asked all who would testify to raise their right hand and take an oath to swear their testimony was the truth, which they did.

Ms. Hamelin was first to testify stating that Sayber Blue was a German Shephard not quite two years old, who came off the property three times and attacked other dogs. Pictures of the dog were passed around, and the Pimentals verified the dog in the picture was Sayber Blue.

She brought up the first complaint that occurred on October 30, 2000 at which time Mary Lou O'Reardon was walking her dog, a Boxer, when Sayber Blue came off the property and attacked the dog. There were some puncture wounds and the dog was bit a couple of times. Mrs. O'Reardon contacted Ms. Hamelin and complained about the incident. Mrs. Pimental indicated the dog had left the house without the electric fence collar, and was put on a ten-day quarantine.

The second incident occurred on June 15, 2001 when owner Maria Tebeau of Winthrop Street was walking her small dog. On the first pass past the dog, Sayber Blue stayed on the property, however, on the return trip, he attacked Ms. Tebeau's dog. There were no specific injuries, but Sayber Blue was all over the dog. Ms. Hamelin did not impose a ten-day quarantine, but sent the Pimentals a letter and a \$25 citation.

The third incident occurred on August 11, 2001 when the Police contacted Ms. Hamelin indicating that owner Kimberly Dodd's ten-month Golden Retriever had been attacked by the dog at 163 Lovering Street. Again, as before on the first pass, Sayber Blue stayed on the property, however, on the return pass, he attacked the dog. Also as before, there were no puncture wounds, but clumps of the dog's fur was pulled. Ms. Hamelin believed the fur helped to protect the dog from injury. Sayber Blue was placed on a ten-day quarantine and Ms. Hamelin took the dog to her kennel, which is her usual procedure. Officer John Rojee was present at this time, and Ms. Hamelin informed the Pimentals that she would be requesting a hearing with the Selectmen as their electric fence collar was not working.

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Ms. Hamelin believed that Sayber Blue will be twice as large when he is finished growing and concerned that the attacks would continue. She had provided the Pimentals with the phone number for German Shepherd Rescue League. Ms. Hamelin also noted they had thought of Sayber Blue being involved with the canine unit of the Police Department. On one last point, Ms. Hamelin said that Ms. Dodd noted Mr. Pimental had called Sayber Blue, who started to turn to go to him, and then reverted back to go after her dog.

Ms. Hamelin also stated that the Pimentals had moved the fence line back away from near the stone wall near their property.

Ms. Hamelin was questioned by the Board.

Selectman O'Leary queried if the sensor could be made stronger? Ms. Hamelin said that some collars give a warning, and some give zaps to the dog. If a dog breaks through the barrier, it is constantly zapped.

Selectman Musmanno asked about the obedience training given to the dog, and wondered if it was before or after Ms. Hamelin's recommendations? Ms. Hamelin indicated it was done when the dog was between four and six months old, before the attacks. Selectman Musmanno asked about the Pimentals' reaction to Ms. Hamelin's suggestions? Ms. Hamelin confirmed the Pimentals' cooperation with her, and that she spoke mostly with Mrs. Pimental. She said she was very agreeable, even when given the ten-day restraining order and muzzle to place on the dog. Selectman Musmanno asked Ms. Hamelin if the dog thought he was playing? Ms. Hamelin did not believe he was playing. In the ten days that they had him the kennel, it was very difficult for the staff to approach him, or to walk by with other animals.

Selectman Rozanski asked if fines had been paid, and Ms. Hamelin stated they had. Selectman Rozanski asked if the dog had bitten any people? Ms. Hamelin stated, not as far as she knew.

Selectman Williams asked about the collar. Mr. Pimental said when the collar was first placed on Sayber Blue, there was training associated with it as the dog would just run through the fence and get zapped. He also noted how Sayber Blue grew up playing with another neighboring large dog - this was before the collar. He could only explain that the first incident was without the collar; the second time the batteries ran out after two months; the third time there was a power outage and knocked out the boundaries. He stated they don't leave the dog outside when not at home, and he felt the ten days at the kennel seem to have left the dog without the urge to go out. Mr. Pimental stated the dog is not aggressive to children. He did not know if they tried to train the dog too early, but they wanted the dog to learn to be sociable.

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Selectman O'Leary asked about leaving the muzzle on more often, but Mr. Pimental said the dog won't move with the muzzle on. Selectman O'Leary questioned if the Board voted not to allow the dog outside anymore? Mr. Pimental did not want to see other dogs injured, but also did not want to totally restrict the animal. Selectman O'Leary asked about the dog being a police dog? Mr. Pimental said the number one thing a police dog has to do is stay focused, and he won't do that. Selectman O'Leary asked about the dog's future? Mr. Pimental stated if the dog hurt someone, he would get rid of him. Mrs. Pimental said she thinks the dog needs retraining, possibly by the group that specializes in German Shepherds.

Selectman Musmanno pursued that the Board may place further restrictions on the Pimentals, and they responded by hoping the Board would allow them to have some freedom with the dog. They did not disagree with anything Ms. Hamelin stated.

Selectman Rozanski asked about the installation of a fence and a leash? Mr. Pimental stated they would have a fence and his wife would be with the dog. Ms. Hamelin stated the restraining order was in place for fourteen days; there was no order in place right now.

Ms. Hamelin stated Mary O'Reardon had just arrived and requested that she be sworn in; this was done. Ms. O'Reardon stated her dog was a seventy pound Boxer with whom she walks 4-5 miles a day. She said she asked the Pimentals to call the dog but instead, her dog was picked up by the abdomen and was injured. She does not now feel comfortable walking by the house; only if the dog is in a closed-in area.

Selectman Rozanski asked if Ms. Hamelin had any questions for the Pimentals? Ms. Hamelin had one - do they have a problem getting out of the house? Mrs. Pimental said they have to try and distract Sayber Blue's attention, and again feel some training will help. Ms. Hamelin agreed with the training especially for the aggressive behavior, but noted that the dog cannot determine the difference between a pet and a coyote. Her major recommendations were that the dog always be placed in a fenced-in area and then on a leash when with the owners. Insofar as the electric fence collar, she felt the dog would take the zap to get out.

Selectman Rozanski moved that the hearing be closed; Selectman O'Leary seconded; all aye.

Selectman Rozanski moved to invoke the temporary restraining order for one year to allow the training to occur, and to return at that time to show that the dog has changed, and during that time, the dog has to be leashed when not in a fenced-in area. Mr. Pimental asked about the dog's play-time, to which Selectman Rozanski stated, during play, the dog will be in the fenced-in area. Selectman O'Leary agreed with the temporary restraining order, and suggested that the dog

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would have to be on a six-foot run or in a kennel when outside. Selectman Musmanno, however, seconded Selectman Rozanski's motion.

Selectman Williams reiterated the motion was for the temporary restraining order, fenced-in area, and leash when not in the fenced-in area. Selectman Rozanski clarified she was requesting a fenced-in yard, not a kennel. Selectman Musmanno reiterated that the dog had to be tethered when outside of the house, not just under the control of the owner. Selectman O'Leary withdrew her motion.

Mr. Pimental questioned if they could put in a run and an electric fence, but again Board members were insistent on what the motion was, and that after training, they would be willing to revisit the issues with the Pimentals.

Selectman Musmanno did a findings of fact, which was: for the past ten months, the dog known as Sayber Blue has come off the property three times and attacked other dogs on three separate occasions.

The vote was taken: Selectman Musmanno, Williams, Rozanski in favor of the motion; Selectman O'Leary abstained; the vote: 3-0-1.

Ms. Hamelin noted that the Pimentals have ten days from receipt of the letter from the Board certifying the action taken, to appeal their decision to the District Court.

8:10 p.m. – Mr. Balukonis stated that the Attorney General has provided to the Town Clerk a copy of the certification of approval of the by-law on the Community Preservation Act that was voted at the April 2, 2001 Special Town Meeting. A minor section he took exception to, and was disapproved relative to section 25.7 concerning the by-law taking effect immediately upon approval by the Attorney General as reference to this is already in the General Laws and is not needed.

At this time, Selectman Williams introduced the three candidates who wished to apply for the two positions as citizen-at-large on the Community Preservation Committee.

Mark Cerel was introduced first. Although a practicing attorney in Medfield, Mr. Cerel lives in Medway now. As Town Counsel in Medfield, he is familiar with the statutes including the Community Preservation Act and affordable housing. He has also been on the Planning Board and has extensive legal experience to provide to the committee. Mr. Cerel thought they should review inventory, the community action statement, the Town's goals, and reach consensus among themselves of a direction of how to spend the money and implement chapter 40B. To promote community, he felt a forum would be good.

Bruce Hamblin was next, and apologized to the Board for not confirming his attendance this evening as he was on vacation. Mr. Hamblin noted his experience

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as a planner in other states, as well as being involved in open space, planning, regional housing plans, historical planning and preservation. He felt it was important to identify priorities, look at sources of funding, possibly establish revolving funds and low interest loans.

Mark Winer was the third applicant to speak to the Board. He also had experience in open space, in incorporating trails on a parcel of land, was familiar with the open space plan, and has read the master plan. Mr. Winer said he knows the issues, and understands that the Act is a tool in addressing those issues and getting some of the projects off the ground. He would evaluate the various proposals around now, work with other towns on trail issues, determine what the Town's needs and costs are, and see what the community wants. In the beginning, he would like to see a consensus on open space, with the thought of eventually coming back to the Board in 6-8 months and show what results have been achieved thus far.

At this point, Selectmen Williams asked Board members if they would like to vote on their choices of the two candidates, noting the high qualifications of all three. Selectman Rozanski moved to place all three names into nomination; Selectman Williams seconded; all aye. A handwritten choice of two names was chosen as the method of selection. Mark Cerel received four votes; Mark Winer received three votes; Bruce Hamblin one vote. Selectman Rozanski moved to appoint Mark Cerel and Mark Winer to the Community Preservation Committee; Selectman O'Leary seconded; all aye. Mr. Cerel was appointed for three years; Mr. Winer for two years at this time. *Selectman Williams voted for Mr. Hamblin, Mr. Cerel; Selectman Rozanski, Mr. Winer & Mr. Cerel; Selectman O'Leary voted for Mr. Cerel & Mr. Winer.*

8:50 p.m. – Mr. Balukonis introduced the Town's first two full-time firefighters/EMT's to the Board – that being Andrew Mahan and Colin McCarthy.

He stated this was a significant step for the Town of Medway to have received the funding and now filled the positions. Mr. Balukonis said he was most impressed by the skills and knowledge of the two individuals and achieved a great deal for their young age. Both have their paramedic certificates and have stated they are making this their career. He further noted that Chief Vinton screened the applications and the positions were open to anyone statewide.

Chief Vinton further commented that Chief Kingsbury of Medfield and Chief Kelly of Norfolk assisted him in the process of going from 17 applications, to interviewing 9, to forwarding a list of 3 to Mr. Balukonis. Mr. Balukonis stated that they would both be starting work on Monday.

8:55 p.m. – Mark Flaherty, Water/Sewer Superintendent came to speak to the Board about the Franklin sewer connection. Bill Fitzgerald, DPW Director for Franklin, was also in attendance.



MINUTES OF THE SELECTMEN'S MEETING  
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Mr. Balukonis stated that the intermunicipal agreement and amendments of 1995 with the Town of Franklin were in the Selectmen's packet. When asked what his recommended action would be, Mr. Balukonis said it would be to enter into an amendment to the contract of 1995. He noted this was something that is needed, and would like Town Counsel to draft an amendment for the Board to review.

Mr. Flaherty added that, by this agreement, this would allow them to do installation, maintenance and metering that had not been possible in the past with the Walker Street and Populatic Street extensions.

Mr. Fitzgerald commented they hope to extend from the pump station, and thanked the Board for their help. He said they were in negotiations with the developer and are expecting to break ground anytime before the wet season begins.

Mr. Balukonis asked if the Board could approve in principal pending execution of the agreement. Selectman Rozanski moved to approve support of the project with the proper wording and documentation submitted to the Board for their signatures, Franklin and CRPCD; Selectman Musmanno seconded; all aye. She also asked Mr. Flaherty if the Water/Sewer Board was in support? Mr. Flaherty said they were and had voted to accept the plan.

3. Public comments.

9:05 p.m. - Dave Newton of Rob Way stopped in to meet with the Board commenting on an article that he read in the Globe concerning the settlement of the railroad bed issue was to be kept as a secret. He said he was not one of the people involved in the suit, but did feel it would affect him, and would like to take whatever steps necessary to undo any cloak of secrecy placed on this.

Selectman Williams stated this was done on advice of Counsel; this recommendation was not volunteered by the Board. He asked Mr. Balukonis to get something from Town Counsel in writing as to why they cannot disclose that information. He noted he had received questions from other people on this matter as well. Selectman Rozanski said the documents are public information and can be obtained; they are just not to discuss the issue as it is now closed. Mr. Newton felt final opinions, etc. should be made public.

4. Town official updates – none.

6. Further reports of the Selectmen.

- Selectman Rozanski continued on with her report. She noted she would be attending a board meeting of the MMA and would hopefully receive updates on Chapter 40B.
- Selectman Musmanno and O'Leary had none.

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7. Report of the Chairman.

- Selectman Williams had none.

5. Report of the Town Administrator.

- Mr. Balukonis referred to the latest issue of the Beacon where it was indicated lottery funds are anticipated to be lower than originally expected. He stated no official notice has been sent yet, but it looked as if Medway's share of the \$12.5 million shortfall would be an additional \$18,500. This might have to be addressed at a future Town Meeting once we have adopted a budget and see the cherry sheets.
- Mr. Balukonis stated he had received a request from the Town of Holliston to address the issue of no-thru trucking on our Clark Street, their South Street. He said he met with Holliston today and they would like to pursue the no-thru trucking shortcut to Hopping Brook Industrial Park. Mr. Balukonis said Holliston would assume the lead role in traffic studies and eventually come back to the Board with their findings. They did prefer using Beaver Street as the alternate route to 495, but the businesses on Clark/South Street would not be included in the exclusion.
- With regard to the Marian Community, Mr. Balukonis said he spoke to the Building Commissioner and he had received all information from the architect and engineer, and the building permit should be issued in a week or two.
- Mr. Balukonis said he would be attending the Town Administrator forum in Franklin on Thursday.
- Mr. Balukonis noted he would be attending the ICMA convention in a couple of weeks and would not be in attendance at the Selectmen's meeting on September 24<sup>th</sup>.

8. Discussion items.

- a. The existing liquor policy was brought up. Mr. Balukonis noted that, in checking how the policy was working out with the Police Department, the Chief indicated that it seemed to be fine but with a few suggestions. He did not feel that the I.D. cards were necessary or beneficial, and also recommended a streamlined method of finding out when licensees hire new employees and when others are discharged. Selectmen Williams suggested Mr. Balukonis get back to the Board with the language, so Selectman Musmanno moved Mr. Balukonis

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come back to the Board with suggested language for the Board to vote on the following week; Selectman Rozanski seconded; all aye.

- b. Attendance at the Norfolk County Selectmen's Association annual meeting was brought up, and so far Selectman Rozanski said she would be going.

9. Action Items.

- a. Selectman Rozanski moved to hold a Special Town Meeting on November 5<sup>th</sup> at 7:00 p.m. in the High School auditorium; Selectman O'Leary seconded; all aye.
- b. Selectman Rozanski moved to open the Special Town Meeting warrant, and to close it on October 5<sup>th</sup> at 1:00 p.m.; Selectman Musmanno seconded; all aye. Mr. Balukonis suggested that there be no reserving of spaces on the warrant; the office needs to receive the final language.
- c. Selectman Rozanski moved to appoint Richard Coakley to the Affordable Housing Committee through June 30, 2003; Selectman O'Leary seconded; all aye. Selectman O'Leary noted that the committee was comprised of seven members.

10. Communications/correspondence/informational items.

- Receipt of various correspondence was acknowledged.

11. Dates to remember.

- Selectmen's next meetings – September 17<sup>th</sup>, 24<sup>th</sup>, October 1<sup>st</sup>, 15<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>.

12. Executive session.

9:45 p.m. - Selectman Musmanno moved that the Board adjourn to executive session not to return to open session; Selectman Rozanski amended the motion to be for the purpose of #3, to discuss litigation if an open meeting may have a detrimental effect on the governmental body's bargaining or litigation position, not to return to open session; Selectman Musmanno seconded.

Mr. Balukonis was queried as to the reason for the executive session. He stated it relates to the lawsuit with the Town as the defendant, and supporting the Town's position in the litigation. He indicated he had an offer by Shelter Island submitted for the Board's consideration, and this executive session was to discuss what actions they could take at a

MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 10, 2001

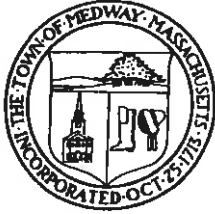
future meeting and a future response. Mr. Balukonis believed the Board should consider the proposal and its affect on the litigation.

On the vote to adjourn to executive session: Selectman O'Leary – aye; Selectman Musmanno – aye; Selectman Williams – no; Selectman Rozanski – aye; 3-1-0.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
9.5 amended  
9/17/01



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

### AGENDA

BOARD OF SELECTMEN

SANFORD HALL

AUGUST 27, 2001

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Barbara Walls, Treasurer/Collector and Annette Gardner, Assistant Treasurer/Collector.

Re: vote to authorize closing the Community Septic Management Program Interim Loan Note and Loan Agreement.

2. Approval of minutes.  
- Regular meeting minutes of August 13, 2001.
3. Public comments.
4. Town official updates – none.

7:15 p.m. – Todd Antosh, Todd's Motorcycles  
Re: Application for Class II license.

5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
  - a. sign liquor license and common victualler license for Sharon's Liquors.
  - b. vote to sign letter of support for investigation/determination for teachers' retirement.
  - c. designate a representative to the Community Preservation Committee.
10. Communications/correspondence/informational items.
  - a. letter from Marcus, Errico, Emmer & Brooks re: Marian Community.
  - b. letter from John Paul Beaudoin.
  - c. attendance at comprehensive permit workshop-Ch. 40B.
11. Dates to remember:  
Selectmen's next meeting – September 10<sup>th</sup>.

cc: ALB  
Jen

Page 2.  
Selectmen's Meeting  
August 27, 2001

12. Executive session (if required).

\*all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:05 p.m. -- Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

Selectman Dziczek moved that the Board approve and sign warrant #9 in the amount of \$549,300.56; Selectman Rozanski seconded; all aye.

7:05 p.m. -- Treasurer/Collector Barbara Walls and Assistant Treasurer/Collector Annette Gardner came before the Board for authorization to close the Community Septic Management Program interim loan note and loan agreement.

Ms. Walls indicated that the original vote for residents to upgrade their septic system, or failed septic system, known as Title V through the Board of Health was approved at the Town Meeting in 1999. Now it was time to close that program and note with the Selectmen's authorization and vote. Health Agent Bill Fisher was present as well to attest to the program's merits. Selectman O'Leary moved that the Board so sign the note; Selectman Rozanski seconded; all aye. Town Clerk Maryjane White was present to certify their vote.

2. Approval of minutes.

Selectman Musmanno moved the Board approve the regular meeting minutes of August 13<sup>th</sup> as amended; Selectman Rozanski seconded; all aye.

3. Public comments -- none.

4. Town official updates -- none.

6. The Board went on to Reports of the Selectmen at this point.

Selectman Musmanno stated he had spoken to Town Counsel with regard to the Marian Community, and after looking up specific case laws, understands the site plan review cannot be imposed. Most other requirements have already been done by the other boards.

Selectman Dziczek brought up several points involving the Water/Sewer Department. They had a new employee by the name of Sandi Giardino as the secretary; there was a voluntary water ban in place until mid-end of September; the hydrant flushing occurring next month would be advertised, and on the web page.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

7:15 p.m. – Todd Antosh came before the Board to request a Class II license from the Board to operate a business called Todd's Motorcycles at 117 Main Street. He was accompanied by his attorney, Scott Ambler.

Mr. Ambler stated Mr. Antosh lives in Franklin and has been selling second-hand motorcycles for the last decade under A&O in Bellingham. The property in question on Main Street would be leased from Corey Finklestein, here present this evening. Hours would be Monday through Friday 9-6, Saturday 9-5, and closed Sunday. Questions from the Board were asked, and responses follow.

*Selectman Dziczek:* noise? Mr. Antosh: no road testing would be done.  
Hazardous waste? No, no repairs or service – strictly sales.  
Use of property? Main showroom and parking on side and in front of showroom.  
Mr. Finklestein added there were no limitations being placed on him at this time for use of the parking area.  
Junk vehicles? No, only late model motorcycles and some cars and trucks.

*Selectman O'Leary:* doesn't assemble mean repair? No repairs will be done.

*Selectman Musmanno:* would special events be held where there would be a congregation of people? No.

*Selectman Dziczek:* how would he regulate his business if there were people problems? Attorney Ambler: if Mr. Antosh has problems with the Town, he will adhere to what they dictate. Mr. Antosh: he has not had one complaint in Bellingham and has sold over 150 motorcycles so far this year.

*Selectman Musmanno:* is it his expectation to have this business similar to A&O? Attorney Ambler: all the motorcycles at A&O were Mr. Antosh's, and that part of the business was coming to Medway.

*Selectman Williams:* number of employees? One or two, but just him at the beginning.  
Did he foresee much competition? No. Attorney Ambler added that most people will find him.  
Did Mr. Antosh have plans to let someone else who has a Class II license sell at this location? No.

*Selectman Rozanski:* did he have a Class II license at A&O? No, he did not.  
Was this a change of use? No, it was a continuing business at that location.  
Any structural changes? No.  
Is a site plan review required? Attorney Ambler said he did not delve in that area.  
Selectman Dziczek noted if the previous business had a permit, then possibly Mr. Antosh would need one. Mr. Finklestein explained there had always been vehicle sales at that location.



MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

Selectman Rozanski moved that the Board grant a Class II license to Todd Antosh with a vehicle showroom located at 117 Main Street; Selectman Williams seconded; all aye.

5. Report of the Town Administrator.

**a. With regard to the O'Toole property**, Mr. Balukonis stated he was meeting with the Municipal Building Committee on September 5<sup>th</sup>. He would then get their intended plans at that time, although they would like to see the property used for the construction manager. He would check it out further.

Selectman Musmanno said he spoke to Frank Varrichione and Jim Hoodlet. They felt it would be ideal to use the house for the construction manager. It might have to eventually be moved, but the latest design indicates that that might not be so and can be used and demolished at the end. The indication was that it would eliminate the use of 6-8 trailers at an approximate cost of \$58,000, along with a saving on installation of utilities. Mr. Hoodlet also expressed the need to know if the building would be available by mid-end of September.

Mr. Balukonis noted the timing and the building should be okay, but they need to talk together and gather information for the solicitation of proposals. Selectman Rozanski suggested Mr. Balukonis do a cost benefit analysis. Mr. Balukonis indicated he would also check on the cost of selling the house for Selectman O'Leary, and the possibility of the Town keeping the house and moving it for Selectman Dziczek.

**b. Mr. Balukonis stated that the sale of the O'Toole house requires a Town Meeting vote** for the disposition of property. He noted that a Town Meeting would also be useful for the Planning Board who have several articles that need to be acted upon for which there was not a quorum at the last Special Town Meeting. Mr. Balukonis also said there were budget transfers, a prior year's bill, and a request from the Schools on available Chapter 70 monies.

Selectman Williams suggested the end of October/beginning of November for a Special Town Meeting. Selectman Rozanski agreed with Selectman Williams by noting the Planning Board needed 100 people for a quorum on zoning by-law changes; the Chapter 70 funds may not be known until October; and the O'Toole property could all be brought together, so later on October/November would be better. Mr. Balukonis would proceed with checking on a date for the next meeting.

**c. Mr. Balukonis brought up building permit fees for a municipal project** which were brought up back in 1994 when the Memorial School was being built. He said this was a substantial fee that was being discussed, almost \$200,000, and he had received a request from the Municipal Building Committee that the fees be

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

waived. Mr. Balukonis said he was looking for some direction from the Board or a policy in place, but the cost is for the building permit.

Selectman Rozanski agreed that someone has to do the work and someone has to pay for that work, but it would be part of the 69% reimbursable. Mr. Balukonis stated if the fees are assessed, then they might have to reduce an item on a certain portion of the project.

Selectman O'Leary saw a duplication of effort if our engineer has to be on the site, and so does our construction manager.

Selectman Dziczek stated they have gone over this before – the money has to come from the funds allocated, and it would only cost \$60,000 with the 69% reimbursement. Also noted was Mr. Hoodlet's comment that they may need additional money with the increase in the cap from the State as well.

Selectman O'Leary inquired as to what other Towns do? Do some waive and some assess?

Selectman Rozanski agreed the question needed to be answered, especially when the bid specs were completed.

Charlie Myers, who was in the audience, stated there may be a duplication of services. With the number of municipal projects on the horizon, it might be a good time for Mr. Balukonis to find out how the construction manager interfaces on a project. How they set the stage now will have an effect on future projects.

Mr. Balukonis said that, in his research so far, five Towns waived fees, but he was not sure who did not yet, and would get back to the Board on this subject.

**d. Mr. Balukonis stated that, one of his goals, is to develop a comprehensive financial policy,** and the outline he presented to the Board addressed seven components, and some ideas generated from those components. He planned on discussing them with his department heads and a draft would then be coming back to the Board seeking their guidance. He has spoken to the DOR but noted this project will take some time.

Selectman Williams suggested formalizing the budget process under the "budgeting" section. He felt that departments don't seem to all follow the same format, and as they finish one fiscal year budget, should be thinking of working on the next year.

Selectman Dziczek asked that boards be kept informed, i.e. FinCom, and that information be passed on to them in the early stages as well.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

Mr. Balukonis had originally thought of aiming for June 2002 for completion of this project, but will now try and make it one of his top priorities.

**e. Mr. Balukonis brought up the Chapter 61A property on Main Street belonging to the Cassidys**, and that Town Counsel had confirmed that it is a bonfide offer with the 120 days expiring on December 13, 2001. He also referenced the additional information provided by the Assessors office on the property.

Selectman Musmanno asked if all 22 acres were zoned in Commercial XI? They looked at the maps enclosed with the notice of intent and from looking at the description of Exhibit A, it gave the appearance of almost all 22 acres being in CXI. It was noted that the rest of the land, outside of the 22 acres, was in 61A.

Selectman Williams asked about Hidden Acres Realty Trust itself, and if there was some type of caveat that says the property cannot be sold? Mr. Balukonis said he would ask Town Counsel to look into it further, and if one key family member still alive could prevent this from going forward.

Selectman Dziczek noted the deadline for Boards to respond was September 21<sup>st</sup>.

Selectman O'Leary referred to a communication from the Planning Board wherein they recommended the Land Acquisition Committee being reactivated, but Selectman Williams noted that various committees have been asked for their input already anyway. He also stated that the formation of the Committee is something that Mr. Balukonis could do as an ad hoc Committee if need be.

6. Back to Reports of the Selectmen.

- Selectman O'Leary had none.
- Selectman Rozanski had none, but then recalled that she and Selectman O'Leary had attended the picnic sponsored by Rep. Loscocco.

7. Report of the Chairman – none.

8. Discussion items – none.

9. Action items.

**a. – Done.**

**b. – The letter from the Town of Canton** looking for support in the investigation and determination of Chapter 114 of the Acts of 2000 relative to teachers' retirement was brought up. Selectman Williams read the proposed letter of support; Selectman Dziczek moved the Board sign the letter;

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

Selectman Rozanski seconded and noted that the letter is not asking for additional funding, but just an investigation. On the vote: Selectman Musmanno abstained; Selectman Williams opposed; Selectmen O'Leary, Rozanski and Dziczek – aye. Vote: 3-1-1; motion passes.

**c. Selectman Williams brought up the Community Preservation Committee** and that one Selectman needed to be designated by the Board to that committee. Selectman Dziczek volunteered to serve. Selectman Williams nominated Selectman Dziczek; Selectman Rozanski seconded. Selectman Rozanski moved to close nominations; Selectman O'Leary seconded; all aye 5-0-0 on Selectman Dziczek serving on the Community Preservation Committee. Selectman Williams asked Ms. Fredette to keep advertising for citizens-at-large until September 4<sup>th</sup>.

10. Communications/correspondence/informational items.

**a. The Board acknowledged receipt of a letter from Marcus, Errico, Emmer & Brooks representing the Marian Community** in response to a letter from Mr. Balukonis. The letter stipulates that the Community was declining the Board's invitation for a public forum as it would, more or less, be considered an informal site plan review. Selectman Williams explained he had suggested the forum as a means of showing the people attending why a site plan was not required and to get the residents comfortable with the project. He felt the Community made a miscalculation in not accepting the Selectman's invitation. Selectman Rozanski agreed this would have allowed the press to hear both sides and have press coverage for both sides.

**b. The Board acknowledged receipt of a letter from John Paul Beaudoin,** which it was felt, was being dealt with among the boards.

**c. The comprehensive permit workshop on Chapter 40B** was being held on September 19<sup>th</sup> and the Board was queried if there was any interest in a Board member attending. Selectman Rozanski noted that, according to Rep. Paul Loscocco, the law has not passed yet and was still in conference committee.

**d. Mr. Balukonis brought up an additional item that was submitted today which was an application to the Building Inspector for a temporary sign for Cybex to be placed on Town property** adjacent to the entrance of Trotter Drive. The sign would be up for ten days from September 14<sup>th</sup> through September 24<sup>th</sup> for a large international meeting that would be held at Cybex. The sign cost \$10,000, and because lead time was needed to have the sign made, Mr. Balukonis said he would bring it up this evening with the Board.

It was suggested that the Safety Officer be contacted to ensure the sign was off the road and would not block visibility. The Board was ensured there would be no illumination of the sign.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 27, 2001

Selectman Rozanski moved to allow the placement of this sign on Town property from September 14 through September 24<sup>th</sup> as requested by Cybex; Selectman Dziczek seconded; all aye.

11. Dates to remember.

- Next Selectmen's meeting – September 10<sup>th</sup>.

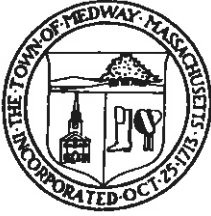
12. Executive session – none required.

8:35 p.m. – Selectman Rozanski moved the meeting be adjourned; Selectman Musmanno seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
9/10/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**AUGUST 13, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of July 30, 2001.
3. Public comments.
4. Town official updates – none.

7:15 p.m. -- David Travalini, Chairman Conservation Commission.

Re: Acceptance of nine acres of land on Milford and Summer Streets  
from Dearview Properties for the Town on behalf of the ConCom.

5. Report of the Town Administrator.
  6. Reports of the Selectmen.
  7. Report of the Chairman.
  8. Discussion items.
  9. Action items.
    - Consideration of recommended policy revision (Selectmen's meetings).
    - Chairman to sign EO418 application.
    - Acknowledge receipt of High School site plan.
    - Consideration of a solicitors permit from Paragon for door-to-door subscriptions.
  10. Communications/correspondence/informational items.
    - Letter from Open Space Committee member re: Ennis property.
    - Letter from CRPCD re: funding for study in Upper Charles Watershed.
    - Letter from DOR re: Bureau of Accounts field representative.
  11. Dates to remember:  
Selectmen's next meeting - August 27<sup>th</sup>.
  12. Executive session (if required).
- \* all times approximate and subject to change if necessary. cc: Town Clerk for posting.

cc: ALB  
Jen

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

Selectman Williams moved approval of warrant #7 in the amount of \$521,462.79; Selectman Rozanski seconded; all aye.

2. Approval of minutes.

Selectman Rozanski moved approval of the regular meeting minutes of July 30<sup>th</sup>; Selectman Musmanno seconded; all aye.

3. Public comments -- none.

4. Town official updates – none.

5. Report of the Town Administrator.

- With regard to the Town audit services, Mr. Balukonis stated that the Audit Committee had met and unanimously voted to approve the proposal as submitted by Melanson & Heath for fiscal year 2001. Selectman Rozanski moved to approve the contract as recommended by the Audit Committee and Town Administrator for fiscal year 2001; Selectman O'Leary seconded. Selectman Rozanski added to authorize the Chairman to sign; Selectman Dziczek seconded; all aye.

Selectman Dziczek questioned a one-year contract, but Mr. Balukonis stated the cost was reasonable, with the thought of seeing what services are available competitively and to look at all options for the future.

Selectman Rozanski added that the Audit Committee would like to be active and have a defined scope of services and more regular meetings, with a possible 2-3 year audit contract in the future.

- Mr. Balukonis had a contract for the Board to sign with W. B. Mason for office supplies. He noted it was a cooperative effort with other towns in a consortium under discussion for about a year when they went out to bid, with W. B. Mason being the low bid with 65.6% off the catalog price. He noted the bidders all use the same catalog, but with different covers, and therefore discounted off the same book. Mr. Balukonis stated this would formalize the arrangement and a contract for one year, and each community was executing their own contract. He recommended the Board vote to award the bid and sign the contract for all departments to

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

utilize. When asked if this included the schools, Mr. Balukonis was not certain, but the idea was to go to centralized purchasing, and this was an endeavor in that direction and recommended approval on the standard contract form.

Selectman Williams was not opposed to the idea of waiting an additional two weeks, but Mr. Balukonis urged the Board not to postpone this formality. With that, Selectman Dziczek moved the Board sign the contract with W. B. Mason; Selectman O'Leary seconded.

Mr. Balukonis commented this was a reputable firm that he had worked with in Norfolk who do not charge for next day delivery. He added they would not be utilized for large capital expenditures. Selectman Rozanski was concerned about process and the idea of bringing it together with backup documentation. Selectman Dziczek was concerned about a termination default, and that Town Counsel should review this. Mr. Balukonis stated the consortium has their own attorney who reviewed it so there are not 11 separate agreements.

Selectman Williams reiterated the motion that the Town of Medway and W. B. Mason enter into an office supplies contract, and added that he, as Chairman, be authorized to sign; this was seconded; all aye.

- Mr. Balukonis handed out a proposal to the Board concerning the O'Toole house that the Town now owns at 84 Summer Street, and which is to be vacated at the beginning of October. He believed the timing was right and decisions needed to be made when the house is vacant and the property can be used to build the new high school. He felt the best option was to declare it as surplus and moved off site, but was looking for direction from the Board on his proposal.

Selectman Rozanski asked in order to declare something surplus, what needs to be done first? Mr. Balukonis was not certain who declares a piece of property surplus and would check into it, but at this point, wanted to know where the Selectmen wanted this to go.

Selectman Rozanski moved that the Chief Procurement Officer consult with Town Counsel and if he recommends that the Selectmen declare the property as surplus, then they should authorize the Chief Procurement Officer to advertise and proceed with the legal issues of the house; Selectman Dziczek seconded.

Selectman Musmanno stated that the Municipal Building Committee had discussed the option of establishing the house as an office for the construction manager and general contractor. He believed there were funds budgeted for providing that space, and so wondered, if they sell the



MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

house and move it, would the Town be incurring additional costs, or would it be more cost effective to let the house be used by the construction manager? He did note, however, if they did declare the house as surplus, he would like to see a sealed bid process with a minimum dollar figure attached to it, or use the house as office space and then sell it.

Mr. Balukonis believed office space was usually included in the construction manager's bid, and did note that the house touched upon the access into the site. He also noted that he has designated property as surplus before, and did not see anything in the specs about who was to provide a trailer to the construction manager.

Selectman Williams agreed Mr. Balukonis should go forward and check with Town Counsel, and if everything was acceptable to him, to then go forward with the declaration of surplus. On this, Selectman Rozanski reiterated her original motion of Mr. Balukonis consulting with Town Counsel relative to declaring the house as surplus, but to also authorize the Chief Procurement Officer to proceed with the plan as delineated in his proposal; this was seconded; all aye.

- Mr. Balukonis noted that the Planning Board was having a site plan hearing relative to the high school on August 21<sup>st</sup>. Selectman Rozanski took an action item out of order and moved to acknowledge receipt of the high school site plan; Selectman Musmanno seconded noting the start of the 120-day time frame; all aye.

On this issue, Mr. Balukonis stated that Town Counsel has a copy of the contract specs for review, but believed the specs were good, and hoped to have the review completed by the end of the month.

- Regarding the Costello issue, Mr. Balukonis stated it was status quo, and there is no sale, but believed it would be moved to trial in October.
- Mr. Balukonis stated the Office had received today a Ch. 61A notice of intent to convert 22 acres of land known as Hidden Acres. This was not a standard notice as there is no intention to sell the land, just to convert it from agricultural/horticultural use. He was not certain as to the procedure here but would be consulting with Town Counsel.

6. Reports of the Selectmen.

- Selectman Rozanski noted receipt of the draft and final reports on the high school traffic access performed by Rizzo Associates.
- Selectman Musmanno went over his concerns relative to the Marian Community noted in an email sent to the Board members and some staff.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

He also referred to Town Counsel's opinion of June 5<sup>th</sup> wherein he determined that they were a religious community and, therefore, exempt from site plan review by the Planning Board. He was not aware if Town Counsel had seen his comments relayed in the email, but still had not changed his mind on the issue, and would look up the specific case laws he referenced. He noted the case referenced pre-dates new federal legislation, and Town Meeting may have to decide in this instance.

Selectman Williams stated Selectman Musmanno could go to Town Counsel, but in most cases, needs to be cleared through the Board so the Board is aware of who is utilizing his services. Insofar as protocol was concerned, Selectman Rozanski said this should be checked with the Chairman. She noted her concern that the Board does not get involved in business or residential, only commercial site plans, but a religious organization did not seem to fall into any of those categories.

Again, Selectman Williams suggested Selectman Musmanno contact Town Counsel and report back to the Board.

- Selectman O'Leary noted she had received a phone call from Tri-County's Superintendent Jack Jones indicating a meeting would be held in September to which she was invited.

With regard to affordable housing, Selectman O'Leary believed applications would be available in about three weeks. She also felt a letter should go to all Town employees advising them that they may qualify for affordable housing.

Selectman O'Leary said she had attended the recent School Committee meeting and met the new McGovern School Principal, Wendy ~~Renee~~ *Rocha*.

- Selectman Dziczek brought up the recent Audit Committee meeting which was held during the day, and therefore, he could not attend. Even though not a member, he hopes their future meetings are held in the evening so others could attend if they wished.

Selectman Dziczek also noted he was not able to attend the last FinCom meeting, but Mr. Balukonis said there was not a quorum anyway.

Selectman Dziczek was reassured there was not a conflict of interest with Selectman Musmanno living in the vicinity of the Marian Community. Selectman Williams felt it was not an issue and did not require another Board member to bring it up.

Selectman Dziczek asked that an update be provided periodically to the Board on the police retirements coming up next year. He knew it was a

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

big issue, and just wanted to be aware of what was going on. Mr. Balukonis stated that the Town has received notice of the pending separate Sergeant and Lieutenant exams scheduled in October, with applications to be submitted to Human Resources no later than August 31<sup>st</sup>. He had not requested the Chief's exam yet, nor determined if the position should be retained in civil service or not. He was proceeding with what civil service requires in that the State controls the process. Mr. Balukonis said it takes a long time, but usually the process helps to select the best candidate. He reiterated his goal was to make the board feel comfortable with the decisions he makes, and will keep them informed. Retirements were scheduled with Sgt. Saleski leaving in July of 2002, Lt. Malo in September of 2002, and Chief Lambirth in October of 2002.

- As an afterthought, Selectman O'Leary noted that she, Selectmen Dziczek and Rozanski had attended the welcoming reception for Mr. Balukonis the previous Saturday. She commented on the quality not quantity of people in attendance, and thanked Director Missy Dziczek for opening up the Senior Center for the reception.

7. Report of the Chairman.

- Selectman Williams stated that the four new precincts will be effective as of December 31, 2001, and that the potential is there that additional funds will be needed.
- The Chairman noted that David Travalini did not show for his appointment with the Board concerning acceptance of land for the Town on behalf of the ConCom, and suggested he be placed on the agenda again in two weeks, with the request to also have more information on the issue. Selectman Rozanski felt the Board needed an actual deed from Logan Huffman as well.

8. Discussion items – none.

9. Action items.

- a. *Consideration of recommended policy revision on Selectmen's meetings.*  
Selectman Williams said that the Board needed to have 4 out of 5 affirmative votes to change a policy, and asked for comments.

Mr. Balukonis noted the survey conducted indicated the various towns were split on the issue. He noted if there was a fifth Monday in a given month, the Board could make that a work session with no one appearing before the Board on the agenda. The suggestion of meeting on the first and third Mondays could also be done on a trial basis. Mr. Balukonis explained he had no personal strong feelings one way or another, as he is always available to discuss issues and concerns of the

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

Board, and of the citizens. He noted it usually takes one day to get ready for a meeting, and one day to break down the issues that came from that meeting, but if the Board felt that was productive use of time by him and the staff, fine, but recommended the alternate schedule.

Selectman Rozanski did not think the Board should go to an alternating week schedule as it would only allow for 23 meetings. She would rather they meet for 1 to 1-1/2 hours each week as, at a meeting, is the only time the Board is actually **the board**. Selectman Rozanski also did not like Saturday meetings, so for efficiency, she felt they should meet every week. It was also important that the community sees them acting as a board.

Selectman Williams did not like the first and third Mondays, and did not like the fifth Monday for a workshop either. He would rather go every other week, but not specifically the first and third. If a meeting fell on a holiday, he would just go to another Monday.

Selectman Musmanno stated, before he joined the Board, he would have been in favor of the meetings going faster and not being so long. For now, he feels it is appropriate that they meet every week, and agreed with much of what Selectman Rozanski said, so was opposed to the alternating schedule at this time.

Selectman O'Leary understood that it took time to prepare for meetings, and that time away from the work Mr. Balukonis and the staff were doing. She felt the Board needed to trust them in their work, and agreed they should go to every other week as Selectman Williams suggested, and an alternate Monday for a holiday.

Selectman Dziczek felt everyone had covered all the bases. He knew exposure was great, but at tonight's meeting, they had just given Mr. Balukonis more things to do. He understood that December was going to get busier with finances, and suggested they continue meeting every other week for a couple of months. If the public needs to meet with the Board, then the Board could be made available.

Selectman Rozanski did not understand the logistics of time, and felt possibly the issue was to be more efficient. Selectman Dziczek touched on minutes and how those take time to produce. Selectman Musmanno felt minutes were a function of how much business the Board does. He asked Board members to remember that, when town meeting voted for a Town Administrator, it was to help the Board's functions. Selectman O'Leary felt they could let the Town Administrator conduct his business with the Board over a two-week period of time. Selectman Williams did not care about anyone's workload. The questions were, could the Town function? Are the people being serviced? Are they getting the kind of government they want? He did not know if they will get serviced if they meet every other week.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

Selectman O'Leary agreed that servicing the Town is the bottom line, but wondered if they could meet every other week until budget time, and then from December to May switch to every week?

Selectman Williams moved to change the meeting schedule commencing with September 17<sup>th</sup> to every other week; Selectman Dziczek seconded. Selectman Rozanski called the vote. Selectman Williams commented: no one's right, and no one's wrong, but amended his motion to be September 24<sup>th</sup> instead of September 17<sup>th</sup>. Selectman Dziczek asked if they were missing any points? Have they covered all the bases? He questioned, should the vote not pass, when can the Board revisit the issue? Selectman Williams answered, anytime. On the motion, the vote: opposed: Selectmen Musmanno and Rozanski; in favor: Selectmen Williams, Dziczek, O'Leary; motion fails.

b. *Chairman to sign EO418 application.*

Selectman Rozanski moved that the Town apply for the \$30,000 in grant services through the EO418 application, and to authorize the Chairman to sign the community Development Plan: initial agreement; Selectman O'Leary seconded; all aye.

c. *Acknowledge receipt of High School site plan.*  
Already done.

d. *Consideration of a solicitor's permit from Paragon for door-to-door subscriptions.*

Mr. Balukonis noted this group was soliciting for subscriptions without a permit. Selectman Rozanski felt, since they were not in attendance, the Board should not take any action. Mr. Balukonis stated, if they deny the permit, then the Police Department has enforcement powers. Selectman Williams moved that the Board deny the permit; Selectman O'Leary seconded.

Selectman Musmanno observed the interstate commerce information which suggests you may decline telephone solicitations; but not the introduction of sales into a state. He noted that all applicants, however, listed a Massachusetts address or an incomplete address.

Selectman Rozanski agreed they should not grant them a permit at this time, but if the Board rejects it, it is not granting them freedom of speech. She again understood you couldn't stop them, but you could regulate what they doing and the time to do it; possibly they should get some advice.

Ms. Fredette noted that the process was explained to the solicitor referred to the office by the Police Department, and then continued to solicit even though the issue was on the Selectmen's agenda for this evening. Selectman O'Leary was against providing the permit because they were told to stop soliciting, and did not.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

Selectman Musmanno offered another suggestion; tabling the matter might be better. Selectman Rozanski then amended the motion to deny the permit until the Board's concerns were addressed in their meeting with the Board, at which time they would discuss: the complaints received, failure to comply with the process, and not enough information provided by the applicants on the permit applications; Selectman Musmanno seconded, but did not go along with "deny until". Selectman Rozanski amended that motion to strike "until".

Selectman O'Leary felt that, by the time this got back to the solicitors, their time in Town would be over anyway. Selectman Williams summed up they were denying the permit pending appearance before the Board because of the questions posed, and if they don't appear, the issue is moot. All aye.

10. Communications/correspondence/informational items.

a. *Letter from Open Space Committee member re: Ennis property.*

Selectman Rozanski understood there was an eminent domain process, but believed there should have been an official letter from the Open Space Committee relative to this property, and then an article placed on the town meeting warrant.

Selectman Dziczek suggested Mr. Balukonis contact Marcy Thomas with regard to the letter. Selectman Williams agreed it was a nice letter, and agreed it really should have come from the Committee as well.

b. *Letter from CRPCD re: funding for study in Upper Charles Watershed.*

Mr. Balukonis believed the letter's intent was to place an article on the town meeting warrant for the \$60,000 study. No action was taken by the Board at this time.

c. *Letter from DOR re: Bureau of Accounts field representative.*

Selectman Williams acknowledged receipt of a letter from James Johnson, Director of Accounts, stating that Kathy Reed was Medway's representative again.

- Selectman O'Leary noted the letter from AT&T Broadband indicating the Town of Stoneham would be receiving a refund for overcharges, and wondered if Medway was also receiving a refund.

Selectman Williams noted receipt of a memo from Mr. Balukonis regarding Open Space Committee Chairman Glenn Trindade's concerns on the Fontanella property. His memo indicated that Town Counsel did not feel counter-suing Mr. Costello would yield different results.

9:05 p.m. – Selectman Rozanski moved the meeting be adjourned; Selectman Musmanno seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
AUGUST 13, 2001

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant

APPROVED

as amended  
8/27/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
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**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JULY 30, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant(s).
2. Approval of minutes.
  - Regular meeting minutes of July 16, 2001.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.

7:30 p.m. – Municipal Building Committee.

Re: update on high school project progress.

8. Discussion items.
  - Selectmen goals.
  - Town Administrator goals.
9. Action items.
  - Approve and sign proposal for Fiscal Year 2001 audit.
10. Communications/correspondence/informational items.
11. Dates to remember:  
Selectmen's meetings – August 13<sup>th</sup>, August 27<sup>th</sup>.
12. Executive session (if required).

\* all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

CC JRM  
AJP



MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette.

7:00 p.m. -- Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrant.

Selectman Rozanski moved that warrant #5 in the amount of \$1,948,555.90 be approved and signed; Selectman Dziczek seconded; all aye.

2. Approval of minutes.

Selectman Rozanski moved that the regular meeting minutes of July 16th be approved as amended; Selectman Williams seconded; Selectman Dziczek abstained; aye 4-0-1.

3. Public comments -- none.

4. Town official updates -- none.

5. Report of the Town Administrator.

Mr. Balukonis asked Ms. Fredette to read the press release announcing his reception to be held at the Senior Center on Saturday, August 11<sup>th</sup> from 9 a.m. to 11 a.m.

With reference to the power plant project, Mr. Balukonis stated he had requested a meeting with a representative from Sithe and would update the Board after the meeting.

Regarding the water complaint from Diane Coulter, Mr. Balukonis stated that in speaking with Superintendent Mark Flaherty, the discoloration is not a health hazard. The problem is related to corrosion control and flushing, and resolution is achieved when the corrosion control sets in and with regular flushing. Ms. Coulter did meet with the Water/Sewer Board looking for an abatement which was denied by the Commission. They believe this is a concluded issue. The Board wondered if residents could be advised when hydrants are flushed, are or a mailing, on the website? Mr. Balukonis indicated the Water/Sewer Department does not believe a schedule is possible, but would speak to them again.

Relative to the Marian Community, Mr. Balukonis referred to the documentation in the Board's packet, and noted that a building permit

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

has not been issued yet. Attorney Maciolek has said he believes the Marian Community is a religious organization and therefore exempt from site plan review with the Planning Board. He noted the information was being provided to the Board if they wished to discuss the matter further.

Selectman Williams felt the residents should be able to come in to air their concerns, but did not feel the Board should advise other boards what to do. Selectman O'Leary did not feel it had to be an unpleasant situation, and some information provided might be helpful. Selectman Musmanno was aware that zoning does have exemptions for religious institutions with limitations to portions used for that purpose. He was not sure of the appeals process for a decision rendered by the Building Inspector. Selectman Rozanski asked Mr. Balukonis to check on "mixed use" with Town Counsel. Selectman Williams added that the Board could facilitate a forum, not sponsor it.

Resident Angela Carney was in attendance claiming the residents in her area felt forgotten. She felt this could have been handled if the Marian Community would just return their phone calls or answer a few questions, i.e. traffic concerns with 300 parking spaces and why are they paying taxes if they are exempt? Resident Karen Nowicki was also present claiming they were getting the run-around. She did hope if there was a forum that the Board and Town Counsel would be present. Ms. Carney hoped the forum would be held before the building permit was issued. Another resident, Jim Davin, arrived late and was reassured the building permit had indeed not been issued yet. Selectman Musmanno felt as much as could be done within the law had been done thus far.

- Mr. Balukonis brought up the letter from MAPC rep Mary Ellen Lavenberg. Her letter requested the Board take action on up to \$30,000 of available funding through the grant program EO418. He looked to the Board to recommend submittal of an application to be ready at the next meeting. Selectman Rozanski endorsed that the Board move forward and complete the application for the funds available under Executive Order 418; Selectman Musmanno seconded; all aye.

- Mr. Balukonis said he drafted some policies for the Board's review which they could discuss or defer. Selectman Williams preferred they discuss them later on in the meeting.

- Mr. Balukonis noted the Town's website was up and running and all departments have been contacted to submit information to the Consultant. Selectman Williams suggested they be reminded often.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

Glenn Trindade stopped in and asked if he could have a few moments of the Board's time. He stated as Chairman of the Open Space Committee, he was working with Selectman Rozanski on the Fontanella property, and as the Board was aware, the Town was being sued by Ralph Costello. He felt this was having a very damaging effect on the whole project from moving forward since financing could not be obtained easily. He was concerned with protecting the Town's rights, and felt the Town had suffered material damage, so he suggested the Board aggressively counter-sue.

Selectman Williams did not feel the Town had suffered materially, the Board was not sitting idly by, and why waste additional money. Selectman Dziczek suggested Mr. Balukonis look into this further, but did not see anything being done wrong. He suggested Mr. Balukonis check with Town Counsel on what basis we should indeed counter-sue, and what was the cost involved. Selectman O'Leary asked if Mr. Costello would still in favor of open space? Mr. Trindade explained that people representing Shelter Island have approached Mr. Costello to be the developer. It seems he has a changed attitude and may not be the same person with the same ideas. Selectman Musmanno asked if Mr. Costello could get back into the picture? Mr. Trindade felt that was unclear as the next day was the end of the 120 days and rights to the property expire. If you remove the encumbrance, you remove the assignment. It may be what Mr. Fontanella wants. He asked if he could meet with Town Counsel and a Selectman member. Selectman Williams suggested Mr. Trindade put his concerns in writing and Selectman Rozanski could meet with Town Counsel.

Selectman Rozanski stated one of the Town's goals is preserving open space. Everything was done correctly. When the Board voted their right of assignment of first refusal, there was an encumbrance placed on the property. She felt it was appropriate for Mr. Balukonis to meet with Town Counsel; it can and should be handled by him. Selectman Williams left it that either Selectman Rozanski or Mr. Balukonis should meet with Town Counsel.

In summation, Mr. Trindade begged the Selectmen not remove that encumbrance. He stated that Shelter Island is negotiating the settlement with the amount of open space being the issue.

7:50 p.m. – Jim Hoodlet, Vice Chairman of the Municipal Building Committee, came to speak to the Board about the progress of the new high school.

He reiterated that the project has been grandfathered and the Town will receive the 69% reimbursement. The allowable amount is \$41,437,374 which is in excess of the appropriated \$39,241,146, however, that was

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

originally based on cost of \$188 sq. ft., which was increased to \$195 sq. ft., and waivers granted of \$1,525,359. Mr. Hoodlet noted they had completed the second of the three phases: first was schematic design, second was design development, and third is the contract documents which they hope to have completed by October 15<sup>th</sup>. In their endeavors, they did cost-saving measures to provide more efficiency but not sacrificing quality feeling they included essential elements of the educational program in the base bid and add alternatives. There was a bid contingency of 6% of \$2,021,285. He noted the Chairman of the School Committee usually attends all of their meetings and The Design Partnership of Cambridge is in touch with them all the time.

With regard to the Keville contract for construction management, Mr. Hoodlet felt this was an essential part of their success to oversight on behalf of the Town. He stated they interviewed four firms, and ultimately, he and Jeff Yost negotiated a \$690,000 agreement with Keville. He outlined the various tasks associated with a construction management firm.

Mr. Hoodlet stated he met with Mr. Balukonis the week before, who will ensure that the Town Accountant and Town Counsel are up to speed on the project to help expedite matters whenever possible.

Selectman Musmanno was concerned about authority over the construction management firm. Mr. Hoodlet explained so much would be paid to them each month, with a percentage held back. This was a big project for Keville as well. Selectman O'Leary was also concerned about the last clerk of the works leaving the Memorial School project ahead of time, and asked what protection there was for the Town that this does not happen again? Mr. Hoodlet explained that the firm is responsible through the project, not just one person. He also felt that the next three months were going to be the most intensive as they have to develop project specs with the drawings and the construction management firm will play a big role in the bid phase and be responsible for responding to questions.

Selectman Dziczek felt that the committee's role was still lead on the project, and then to the Selectmen and the Town Administrator.

Mr. Balukonis felt that they were close to finalizing the agreement with a review by Town Counsel. Mr. Hoodlet asked if the agreement could be executed at the next meeting? Selectman Dziczek moved to authorize the Chairman to execute the final contract based on the recommendation of the Town Administrator and after review by Town Counsel; Selectman O'Leary seconded. Selectman Williams felt comfortable with the Municipal Building Committee, the Town Administrator, and Town Counsel's oversight. Selectman Musmanno suggested as an amendment

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

that he be authorized to sign as well, and therefore amended the motion to be that the Chairman and the Municipal Building Committee liaison be authorized to sign the Keville contract on behalf of the Board; Selectman Rozanski seconded; all aye. Selectman O'Leary voiced appreciation on behalf of the Board to the Committee.

6. Reports of the Selectmen.

None of the Board members had anything to report, but Selectman Rozanski thanked Mr. Balukonis for going forward on EO418, and asked for a copy of the Rizzo report on the access to the high school since payment to them appeared on the warrant.

Selectman O'Leary noted that Paul DeSimone had requested appointment to the IDC, and has now stated he would like his request withdrawn. Mr. Balukonis said his plan was to meet with prospective appointees before an appointment is made, rather than rubber-stamp an appointment, but he would put this at the top of his list and call Mr. DeSimone.

Selectman Musmanno asked if the information contained in a letter from USDA on compliance review with Water/Sewer had been provided; Ms. Fredette said it had.

7. Report of the Chairman – none.

8. Discussion items.

- Relative to Mr. Balukonis' suggested policy of meeting every other week, Selectman Williams felt they could discuss it now, but not vote on it until August 13<sup>th</sup>. Selectman O'Leary commented that one of her goals was to try and meet every other week. Selectman Musmanno moved to schedule this policy as an agenda item for the August 13<sup>th</sup> meeting; Selectman Dziczek seconded. Selectman Rozanski was opposed to any change, but not opposed to scheduling this on the agenda. She noted the meetings are a time when the Selectmen are visible, and helps with their responsibility. She felt speeding through meetings only gets them in trouble.

Selectman Dziczek was not for or against, but asked for clarification: what was the situation in Norfolk, and how did it work out; if this is beneficial to all parties, what are the benefits; how is the Town served better; and are there contingency plans in place by Mr. Balukonis? With these questions in mind, the Board voted all aye on discussing the issue on August 13<sup>th</sup>.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

- On the correspondence policy he submitted to the Board, Mr. Balukonis said the issue came up when the question was posed in the office as to correspondence directed to an individual Selectman and no written policy in place. He felt it was a matter of clarification that the staff accepts the mail and the Town Administrator determines how it should be distributed. Selectman Rozanski saw this as clearly administrative in nature, but inquired as to receiving some correspondence quicker. Mr. Balukonis noted the advantage of copying all correspondence at the end of a week. Selectman Musmanno felt Board members should know, and then determine what is there and who should see it, or if they should even come and get it. Selectman Dziczek said there could be a policy for the Board, and a policy for Selectman Musmanno, but he was opposed to two policies. Selectman Williams suggested leaving it in the hands of the Town Administrator. Selectman Dziczek then moved to accept the policy as written by the Town Administrator; Selectman Rozanski seconded; Selectman Musmanno opposed; motion carries 4-1-0.

The Board members briefly touched on some of their proposed goals, with Mr. Balukonis telling Selectman Williams he liked the format used when he had presented his goals. Selectman Williams then suggested the goals be sent to him for compilation and further discussion at their September 10<sup>th</sup> meeting. Some highlights given:

Selectman Williams: added to his previous list, sidewalk standards for walkways; funding for streets for repairs and sidewalks.

Selectman Rozanski: infrastructure; communication; fiscal responsibility; people management.

Selectman Musmanno: 4 pages of goals and 15 objectives, which he would go into at a later time, but similar to many issues included in the master plan; one though was the continuing architecture of Town government and its citizens. He also suggested the use of a white board during the session.

Selectman O'Leary: to be active and aggressive; team spirit; communication; newsletter; all boards discussion; seeking grants; preventing divisions; be leaders and listeners; mini town meeting forums.

Selectman Dziczek: master plan implementation; big picture of the future of Medway; utilizing the Town's web; working with FinCom; the Town's interest being first and foremost; upcoming Police Department issues.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 30, 2001

- Town Administrator Balukonis: his goals included completion dates which he felt were important. Some of his goals included: financial policy; website utilization; lead capital projects; human resource management.

9. Action items.

- Mr. Balukonis brought up his suggestion of approving a proposal for the Fiscal Year 2001 audit, and then suggested it first be forwarded to the Audit Committee for their recommendation, and then on to the Board. Selectman Williams asked Selectman Rozanski to ensure that the Committee formalize their actions at a meeting, but possibly Mr. Balukonis could begin the process for an organizational meeting.

Selectman Dziczek inquired how much money was appropriated at Town Meeting for an audit? Selectman Rozanski noted only one year at a time is appropriated even though there may be a three-year contract.

10. Communications/correspondence/informational items.

- Selectman Williams read over various pieces of correspondence the Board received.

11. Dates to remember:

- Selectmen's meetings on August 13<sup>th</sup> and 27<sup>th</sup>.

12. Executive session – none required.

9:25 p.m. – Selectman Musmanno moved the meeting be adjourned; Selectman Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

8/13/01



**BOARD OF SELECTMEN**  
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**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JULY 16, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant(s).
2. Approval of minutes.
  - Executive session minutes of June 11, 2001.\*\*
  - Regular meeting minutes of July 2, 2001.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
  - Selectmen goals.
  - Town Administrator goals.
9. Action items.
  - Selectmen's appointments.
  - Approval of revolving fund for Historical Commission.
10. Communications/correspondence/informational items.
  - Letter from Diane Coulter re: water quality.
  - MMA annual meeting and trade show.
  - Rep. Loscocco's summer picnic for senior citizens.
11. Dates to remember:  
Selectmen's meetings -- July 30<sup>th</sup>, August 13<sup>th</sup>, August 27<sup>th</sup>.
12. Executive session (if required).

\*\*Minutes previously distributed – please bring to meeting.

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: JRM  
AUB



MINUTES OF THE SELECTMEN'S MEETING  
JULY 16, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Musmanno, Town Administrator Greg Balukonis, Administrative Services Assistant M. J. Fredette. (Selectman Dziczek arrived later in the meeting.)

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Approve and sign warrants.

- Selectman Rozanski moved the Board approve and sign warrant #55 for Fiscal Year 2001 in the amount of \$374,541.01; Selectman Williams seconded; all aye.
- Selectman Rozanski moved the Board approve and sign warrant #3 for Fiscal Year 2002 in the amount of \$432,402.22; Selectman Williams seconded; all aye.

2. Approval of minutes.

- Selectman Williams moved the Board approve and release the executive session minutes of June 11, 2001 as amended; Selectman Rozanski seconded; all aye.
- Selectman Rozanski moved the Board approve the regular meeting minutes of July 2, 2001 as amended; Selectman Williams seconded; all aye.

3. Public comments – none.

4. Town official updates – none.

5. Report of the Town Administrator.

- Mr. Balukonis spoke of spending his first day meeting employees, department heads and learning about some of the issues.

Selectman Williams suggested he and Ms. Fredette arrange an informal open house in the near future.

6. Reports of the Selectmen.

- Selectman O'Leary noted attending a meeting of the Affordable Housing Committee. Because negotiations were not settled, she stated that the Committee voted on July 10<sup>th</sup> to withdraw its support of the development and allow the Citizens Housing and Planning Agency (CHAPA) to handle the lottery now that guidelines were established. She indicated that Aaron Bornstein from CHAPA would be meeting with them next on August 9<sup>th</sup>.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 16, 2001

Selectman O'Leary provided some background information for the Board noting that they <sup>have</sup> six meetings in discussion of the comprehensive permit which was issued in March of 1999, ~~but for which meetings of the Affordable Housing Committee were not held until August of 2000.~~ During that time, the builder developed plans of two bedroom units. The Affordable Housing Committee had requested three, three bedroom units out of the fourteen affordable housing units. Selectman O'Leary stated she would like to receive a copy of the ZBA minutes during the time the comprehensive permit was discussed, but discovered there were only tapes of the meetings.

Selectman Musmanno added to the discussion stating, although not on the ZBA at the time, was familiar with the negotiations that transpired to issue the permit. He had also spoken to ZBA Chairman Jan Morris, who had indicated to him that ~~402~~ <sup>the decision</sup> is specific at limiting units to two bedrooms. He knew there had been a year's worth of hearings, and did not feel the issue of bedrooms was negotiable as it would violate the agreement. Selectman Musmanno also did not believe the builder had the authority to do three bedroom units.

Selectman O'Leary did note that, in the decision, it states, "no more than fifty-two units within nine buildings, and no more than three bedrooms". However, Selectman Musmanno thought the plan only included two bedrooms without another hearing, but Selectman O'Leary commented that the attorney had indicated they can do three.

- Selectman Musmanno said he had attended the Municipal Building Committee meeting and noted the fine work they were doing. They were looking at the final design plans at this time. He stated that the SBA had sent a letter to the Committee telling them they had received authorization to proceed with construction and the grant had been approved. A waiver was also granted because of the amount of ledge discovered and the additional funding received for the funding can be counted in the total amount of the grant. He noted overall cost was in the range of \$40 million. Selectman Musmanno was also aware of the possibility that the scope of the Route 126 project might be expanded to include the access to the high school.

Selectman Musmanno, as liaison to the Water/Sewer Commissioners, brought up the memo from former Interim Town Administrator William Mosher on water/sewer liens. Selectman Musmanno said he had spoken to the Assessors Chairman John Creighton who indicated there was no real resolution yet but they were moving in that direction. Selectman Williams inquired if the bills will be properly done? Selectman Musmanno said the Water/Sewer Department does not have access to lien addresses and need to have data bases updated, but they are striving for shared information.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 16, 2001

Selectman Musmanno also noted for the viewing public a number people could call with regard to the West Nile Virus situation and for reporting dead birds, a toll free number, 1-866-627-7968, which is the Division of Communicable Disease Control.

- Selectman Rozanski reported attending the MMA Board of Directors meeting indicating that the state budget was still in conference committee. They were also looking at the 40B law and a "cooling-off" period. She understood that towns may possibly be receiving only 80% of anticipated lottery money, but the MMA would be ~~looking at asking~~ that the difference be made up by the State.

7. Report of the Chairman.

- Selectman Williams noted correspondence received from Rep. Paul Loscocco's office indicating he was continuing the senior citizen picnic in Hopkinton begun by Rep. Barbara Gardner.

8. Discussion items.

- Selectmen goals. Selectman Williams presented the Board with a draft on Board objectives, goals and mission. He felt this document was a good basis to begin a dialogue with at the next meeting on the 30<sup>th</sup>. He noted it really started with a mission statement, leading to goals and then objectives. Selectman Williams noted he would like to have "Selectmen Goals" as a published document in the very near future.
- Town Administrator goals. Mr. Balukonis will be working on his goals for presentation at the July 30<sup>th</sup> meeting as well.

9. Action items.

- Selectmen appointments. Ms. Fredette indicated, at this time, all have expressed the desire to be re-appointed. The Board then proceeded to make the appointments.

Selectman Rozanski moved the appointment of Richard Maciolek as Town Counsel through June 30, 2002; Selectman O'Leary seconded; all aye.

Selectman Musmanno moved the appointment of Anthony Kalicki to the Municipal Building Committee through June 30, 2004; Selectman O'Leary seconded; all aye.

Selectman Musmanno moved the appointment of Kelly O'Rourke to the Municipal Building Committee through June 30, 2004; Selectman O'Leary seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 16, 2001

Selectman O'Leary moved the appointment of Leanne Reardon to the Medway Pride Day Committee through June 30, 2002; Selectman Williams seconded; all aye.

Selectman Musmanno moved the appointment of Wendy Rowe to the Medway Pride Day Committee through June 30, 2002; Selectman Rozanski seconded; all aye.

Selectman O'Leary moved the appointment of Marjorie Sanford to the Medway Pride Day Committee through June 30, 2002; Selectman Williams seconded; all aye.

Selectman Williams moved the appointment of Mary Beth Fraser to the Medway Pride Day Committee through June 30, 2002; Selectman Rozanski seconded; all aye.

Selectman Rozanski moved the appointment of Paul Yorkis as the SouthWest Advisory Planning Committee Representative through June 30, 2001; Selectman Williams seconded; all aye.

At this point, Selectman Rozanski asked the Board to confirm her representation on SWAP as the elected official from the Town of Medway. The Board unanimously confirmed that appointment.

Selectman O'Leary moved her appointment to the Disability Commission; Selectman Rozanski seconded; all aye.

Selectman Rozanski moved her appointment to the Audit Committee; Selectman Musmanno seconded; all aye.

8:10 p.m. – Selectman Dziczek arrives at the meeting.

- Selectman Williams read the letter from Historical Commission Chairman Mark Tagliaferro requesting the Board approve the setting up of a gift account to receive donations for their projects. Mr. Tagliaferro noted this was a requirement of the grant they were administering.

Selectman O'Leary moved to authorize the Town Accountant to set up a gift account for the Historical Commission for donations; Selectman Dziczek seconded. Selectman Rozanski amended the motion for clarification to include the approval by the Selectmen is pursuant to Chapter 44, Section 53A of Mass. General Laws with funds to be deposited with the Treasurer; Selectman Dziczek seconded; all aye. Mr. Balukonis explained it was not necessary for the Selectmen to accept each gift.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 16, 2001

10. Communications/correspondence/informational items.
  - Selectman Williams asked that Diane Coulter's letter on water quality be read. Basically, Ms. Coulter was upset that many of her clothes were ruined because of the water turning brown during a wash, and was looking for an abatement on her water bill. She had provided pictures to back up her claim. Selectman Dziczek wondered if this had occurred just at her house or in other parts of the neighborhood, and was it a backflushing problem? He asked that possibly the Water/Sewer Commissioners and complainants come to a future meeting.
  - Since he arrived late, Selectman Dziczek was asked if he had any Committee reports - he had none.
11. Dates to remember:
  - Selectmen's meetings -- July 30<sup>th</sup>, August 13<sup>th</sup>, August 27<sup>th</sup>.
12. Executive session (if required) -- none.

8:25 p.m. -- Selectman Musmanno moved the meeting be adjourned; Selectman Williams seconded; all aye.

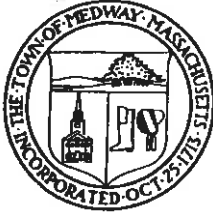
Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant

mj

APPROVED

as amended  
7/30/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JULY 2, 2001**

7:00 p.m. – Open meeting.

7:01 p.m. – Greg Balukonis, Town Administrator designate.

1. Approve and sign warrant.

7:05 p.m. – Public hearing.

Re: Transfer of liquor license from Liquid Assets, Inc. to Sharon's Liquors.

7:30 p.m. – Public hearing.

Re: Golden Jade alleged violations.

8:00 p.m. – Dog hearing.

Re: Foxy – owner Richard Bullard.

2. Approval of minutes.
  - Executive session minutes of June 11, 2001.
  - Regular meeting minutes of June 18, 2001.
  - Executive session minutes of June 18, 2001.
  - Regular meeting minutes of June 25, 2001.
  - Executive session minutes of June 25, 2001.
3. Public comments.
4. Town official updates – none.
5. Report of the Town Administrator – none.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
  - Approve solicitor's permit for KJP Advertising on behalf of "Hangers".
10. Communications/correspondence/informational items.
  - Letter from Mark Der Garabedian re: sidewalk on Cottage Street.

*CV: Jan  
AUB*

Selectmen's meeting.

July 2, 2001

Page 2.

11. Dates to remember:  
Selectmen's meetings – July 16<sup>th</sup>, 30<sup>th</sup>.
12. Executive session (if required).

\* all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

7:01 p.m. – Selectman Williams welcomed Greg Balukonis, the Town Administrator designate to the meeting. He explained the Board had voted to approve the employment agreement in its final submitted format during its executive session the previous Monday night. The Board members, Mr. Balukonis, Town Clerk Maryjane White signed the agreement, already signed by Town Counsel Richard Maciolek and Town Accountant Kurtis Johnson. Mr. Balukonis said he would be on vacation the next two weeks commencing employment with the Town on July 16<sup>th</sup>.

7:05 p.m. – Attorney Lee Ambler of Ambler & Ambler approached the Board concerning a transfer of liquor license from Liquid Assets, Inc. to Sharon's Liquors. Selectman O'Leary read the public hearing notice that appeared in the local paper.

Attorney Ambler indicated the transfer was being made to a family-run operation, with Sharon Thibault as manager. She indicated she had not operated a business before although she had been a bartender, had no problems with the police, and had no illegality issues. It was still their intention to have the store be maintained as a liquor store, and continue the same operation. Ms. Thibault would also be taking the course on alcohol. Attorney Ambler indicated the present owners would help the new owners for about three weeks. When asked about the transfer of inventory, Attorney Ambler stated that was part of the closing, and would be a dollar for dollar exchange between parties, with the merchandise not leaving the premises.

Selectman Dziczek explained the Board was strict on discouraging underage drinking, with Selectman O'Leary noting one previous incident by Liquid Assets. There was no one in the audience to speak in opposition. Selectman Rozanski moved to approve the transfer of an all alcoholic package store license from Liquid Assets, Inc. to Sharon's Liquors, Inc. with Sharon A. Thibault as Manager at 116 Village Street; Selectman O'Leary seconded; all aye.

1. Selectman Dziczek moved the Board approve and sign warrant #53 for fiscal year 2001 in the amount of \$821,027.45; Selectman Rozanski seconded; all aye.

Selectman Dziczek moved the Board approve and sign warrant #1 for fiscal year 2002 in the amount of \$312,553.36; Selectman Rozanski seconded; all aye.

2. Approval of minutes.

Selectman Rozanski moved approval of the regular meeting minutes of June 18<sup>th</sup>; Selectman O'Leary seconded as amended; all aye.



MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

Selectman Musmanno moved approval of the executive session minutes of June 18<sup>th</sup> to be released; Selectman Dziczek seconded; all aye.

Selectman Musmanno moved approval of the regular meeting minutes of June 25<sup>th</sup>; Selectman O'Leary seconded; all aye.

Selectman Musmanno moved approval of the executive session minutes of June 25<sup>th</sup> to be released; Selectman Rozanski seconded; all aye.

7:30 p.m. – Lt. Richard Malo and Sgt. Robert Rojee approached the Board concerning alleged violations against the Golden Jade Restaurant. Owners of the Golden Jade David Ngo and Peter Ngo, along with other family members, and their attorney Louis Cassis were in attendance. Selectman O'Leary read the public hearing notice that appeared in the local paper.

The Lieutenant summarized the incidents as they occurred on April 26<sup>th</sup> and as detailed in the police report of the same date. The individual identified as Peter Engles was seen exiting the Golden Jade apparently under the influence. I.D. revealed a New York license under another name, which upon further questioning, was identified as Mr. Engles, a 19 year-old from Medfield. He was placed into protective custody after having taken a breathalyzer test revealing .08, legally intoxicated. Sgt. Rojee called for assistance and all I.D.'s of those with him were checked, revealed another under-age patron, who was not found drinking, but on the premises.

The Lieutenant stated that the issue is not that individuals were under the influence, but the issue of the I.D.'s accepted which were invalid for the individuals; they should only accept Mass. Licenses or a liquor I.D. card. He noted they have worked with the owners, but they need to work harder to ensure those they are serving are the individuals on the I.D.'s. He agreed they have tried, but are failing to do 100%, and as such, are having violations. The Lieutenant verified this was not a sting operation, with the Sergeant agreeing it was routine patrol.

Selectman Dziczek commented that the Golden Jade seems to be known for attracting underage patrons. Sergeant Rojee agreed the license in question has been passed around among many people.

Selectman O'Leary noted the many incidents dating back to 1997, 1998 and 1999, and that a lot of police time had been spent at the establishment. She wondered if the darts and pool tables were drawing the young people in, and possibly they should hire a police detail or concentrate on serving food.

Again to various Board questions, the Lieutenant stated the atmosphere has changed to a pub-style, and while trying to come to terms with the owners, there is not 100% success. He noted there have been no recent violations, and they were not serving anyone unless they produced an I.D., and were closing off serving 45 minutes before closing.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

Attorney Cassis had no questions of the two officers, but did state he was representing the Golden Jade. He said the ownership regrets what happened. He had read the police report and felt it was fair. He did state that he had no defense if they served a minor, but they did show a I.D. for a 23 year-old. Attorney Cassis noted that Peter had continuously carded in the past. He argued of over the 20 people there, only 2 failed, and those 2 had I.D.'s of some sort. He stated that a recommended 6 day suspension would be order; if it goes on for much longer, it would debilitate the business.

Peter stated English was not his first language, but explained that the last time there was a suspension, it cost him a lot in the business. Again, he said he saw a license, and it was not the same license the individual showed to the police; he saw a Rhode Island license. He affirmed from this day forward, no out-of-state I.D.'s will be accepted, and they will keep on trying.

Selectman Musmanno asked if they disputed the individual has been on the premises more than twice? Attorney Cassis said yes; he was there at least one other time.

Selectman Dziczek suggested asking for two I.D.'s from everyone. Selectman O'Leary was assured there was a sign on display indicating "no serving to under 21 year-olds".

Peter explained you had to be 21 to get into the bar and that the darts, pool table and lounge were on the same side as the bar; the restaurant was on the other side.

Peter's niece, Casey, spoke on behalf of her uncle and father, and has suggested they ask questions to ensure licenses are correct.

Selectman Rozanski moved to revoke the entertainment license for the pool table of the Golden Jade, and to suspend the liquor license for 20 consecutive days commencing immediately on July 3<sup>rd</sup>; Selectman Dziczek seconded for discussion. Selectman Rozanski stated they have been doubling the penalty on violations, and the last incident gave them a 10-day suspension. She stated it has been over one year since the last time, and she appreciated that they were further trying with the last call 45 minutes before closing, but it was still a violation, and this is the procedure the Board has been following.

Selectman Musmanno opposed revoking the entertainment license as there was not sufficient reason for modification of business. He sees the violation, and remained open to doubling of the penalty. The attempt was there to avoid the circumstances that occurred with the proprietors checking the I.D.'s. He amended the motion by removing the clause pertaining to the entertainment license; Selectman Dziczek seconded for discussion. Selectman Musmanno believed that since the main motion stands, there could be discussion.

Selectman O'Leary understood the 20 days and was in favor of revoking the entertainment license as it would keep the younger clientele out of the area,

*was in favor  
of Selectman Rozanski's  
concept*

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

Selectman Dziczek felt the Board was being too harsh in punishing the owners by penalizing the establishment, which was maybe not the right answer. He felt that they had come a long way and were just fooled by the I.D.'s. Selectman Rozanski stated the basis of her motion is that a violation occurred even though the Board is trying to be supportive of their efforts.

Selectman Musmanno noted they did not hear anyone dispute the incident, but it was up to the Board to determine the gravity and the proper course of action. He also felt they were not business people, so they shouldn't be making business decisions; let the owners do that.

Selectman Williams asked if the Board was ready to take a vote on the amended motion of striking the clause from the original motion? Again, Selectman Dziczek felt the 20 days was too harsh, especially in light of the impact on the establishment during the July 4<sup>th</sup> holiday. He, therefore, amended the motion to 10 consecutive days instead of 20 starting July 3<sup>rd</sup>, without striking the entertainment license; Selectman Musmanno seconded.

Selectman Williams asked the Board to first vote on the amendment to 10 days. In favor: Selectmen Dziczek, O'Leary and Musmanno; against: Selectman Williams and Rozanski. Motion to amend to 10 days passes. On a ~~retake of the language for striking~~ <sup>motion</sup> to remove the license for the pool table: Selectman Rozanski - no; in favor: Selectman Dziczek, O'Leary, Musmanno, Williams - no. Motion to remove that license fails. Selectman O'Leary noted if the Golden Jade is found in violation again, she would vote differently in the future to remove the pool table license.

Confirming the vote, Selectman Williams reiterated the Board's motion to suspend the liquor license issued to the Golden Jade for ten (10) consecutive days commencing July 3<sup>rd</sup>; all aye 5-0-0.

Attorney Cassis thanked the Board for a most thoughtful discussion.

8:35 p.m. – Animal Control Officer Brenda Hamelin approached the Board concerning a dog hearing relative to Foxy, owned by Richard Bullard.

Selectman O'Leary read the letter sent to Mr. Bullard outlining the reason for the hearing and the options that lay before the Board.

Selectman Williams opened the hearing and asked all who would testify to raise their right hand and take an oath to swear to tell the truth, which they did.

Ms. Hamelin was first to testify. She brought up the fist complaint that occurred on December 27, 2000 by the Marcinkiewicz family of a "small black and white pit bull cross" running loose. The dog was identified as Foxy, and a verbal warning was given to Mr. Bullard about the leash law, and that the dog needed to be licensed once it was six months old as it was still considered a puppy.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

On April 25, 2001, a letter was sent to Mr. Bullard from by Ms. Hamelin stating that another complaint had been received that Foxy was running loose. This letter was accompanied by a \$25 citation and a reminder to license the dog, which was done.

On May 3, 2001, Mr. Marcinkiewicz called 9-1-1 and said Foxy had chased his family into their residence at 5 Wildebrook. Mr. Bullard's father was spoken to and given a \$50 citation, and informed that even though he was not the owner of the dog, he was considered the keeper of the dog since the dog lives at his address.

On June 15, 2001, a report was received that Foxy was running loose again. The police cruisers arrived before Ms. Hamelin. At that time, Mr. Bullard's father was there and picked up the dog. He was advised by Ms. Hamelin that she was placing the dog on a temporary restraining order, and if found loose again, she would pick Foxy up. She also advised him that she would be sending them another \$50 citation.

Bill D'Annibale of 8 Wildebrook then spoke about the 16 children who live in the neighborhood and are scared of what they consider a vicious dog.

Paul Marcinkiewicz of 5 Wildebrook stated he abuts the Bullards' yard. He noted that on some occasions, he did not report the dog running loose giving them the benefit of the doubt that Foxy somehow got out. In the May incident, however, he did call 9-1-1 grateful that he had been there. He did not know what would have happened if he had not been there once the dog came on to their property. He was spending \$11,000 on a fence to protect himself and his family.

Sgt. Rojee confirmed he did see a family in fear when he arrived on the scene.

Ms. Hamelin clarified the owner was Richard, and that he resides in the house at 4 Bullard Lane with his mother and father, who own the home. Since the father owns the home, he is considered the keeper of the dog even though the owner of the dog is his son, Richard. Anyone over the age of 18 years who lives in the house can be considered responsible for the dog.

Selectman Musmanno asked if the problem is the dog or his keepers? Ms. Hamelin stated, whether through the actions or inactions of the owner, they are not doing the responsible things. Selectman Musmanno wondered if the dog was in a different home, would the situation be different? She was not sure, and whether obedience training would be of any help. At this point, it took almost a half-hour sometimes to retrieve the dog. It was difficult to even get close to the dog.

Ms. Hamelin stated that she believed the dog was aggressive when loose, and appeared vicious to those in the neighborhood. Those living in the area are in fear of Foxy and believe the dog is terrorizing them. Relative to the restraining order, it was issued because the owner was not abiding by the leash law order. Relative to the permanent restraining order, this would allow the dog to be picked up and destroyed if loose.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

Selectman Musmanno asked about the reaction of the owner and the keepers? Ms. Hamelin explained they did not seem to be really concerned, and the father said it was his son's dog anyway.

Selectman O'Leary asked if the dog could run with a leash on the property? Ms. Hamelin stated there was just a thin rope right now; no kennel, no fence. When Selectman O'Leary asked what was Ms. Hamelin's recommendation, she stated it was to place a permanent restraining order on the dog, and order them to construct a fence or kennel, with a fence being 6 to 8 feet high so the dog couldn't jump over it or dig under it. She could provide the dimensions of the kennel.

Selectman Rozanski asked about temporary vs. permanent restraining orders. Ms. Hamelin stated both have some consequences. The temporary is for a certain period of time, i.e. 14 days. With the permanent, under law, she could destroy the animal. Selectman Rozanski asked if they could do a temporary, say for two years, and would permanent be for life? Ms. Hamelin responded under the permanent, the owner can ask for the order to be lifted.

Selectman Williams agreed they were concerned with the behavior of the dog. Ms. Hamelin was not in favor of banishment unless the dog had bitten someone.

Owner Richard Bullard and his mother, Jean, approached the Board. Mr. Bullard inquired if people had tried to see if Foxy was friendly, while Mrs. Bullard said the dog was more frightened of people than vice-versa. She also stated she was told the dog was a lab/boxer mix. She knows the dog barks a lot and is an aggressive puppy, but was playful, and the barking only makes her seem more aggressive. Selectman Williams said they have to understand people are feeling threatened, but Mr. Bullard felt if people act afraid of the dog, it just gets her excited. Selectman Rozanski was concerned that the owners did not retrieve the dog quickly enough when it got loose as it sometimes took almost a half hour.

Selectman Dziczek stated information has just been given by a professional person even though the owners love the dog. He recommended they move on this issue since the Animal Control Officer gave her recommendation an hour before. Selectman Williams differed and stated it does not matter how much time it takes to settle this. However, Selectman Dziczek moved to conclude testimony and close the hearing; Selectman O'Leary seconded; all aye.

Selectman Rozanski moved to place Foxy on a permanent restraining order; Selectman Musmanno seconded. Selectman Rozanski further added the dog needed training and allowing it to run loose for 20 to 30 minutes can be damaging. If the Bullards want the restraining order lifted, then they can come back to the Board. Selectman Musmanno stated the owner is obliged to keep the dog restrained at all times; he has been warned. Selectman O'Leary moved to amend the motion to add, that the Bullards have a kennel built; Selectman Dziczek seconded. Ms. Hamelin said she would define "kennel", and would ensure it was built properly within a specific amount of time.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

On the amended motion; Selectman Musmanno – opposed; Selectmen Dziczek, O'Leary, Rozanski, Williams – aye; motion passes 4-1-0. Ms. Hamelin stated when the dog is not on the leash, it must be in the kennel when outdoors. On the main motion, all aye 5-0-0. Ms. Hamelin now asked that a letter be sent to Mr. Bullard certifying the action taken and that he has ten days from the date of the order to appeal the Board's decision to the District Court. *See, with the appeal process; they responded yes*  
9:45 p.m.

3. Public comments – none.
4. Town official updates – none.
5. Report of the Town Administrator – none.
6. Reports of the Selectmen.

Selectmen Dziczek and Musmanno – none.

Selectman O'Leary had a request she was submitting on behalf of the Housing Authority. They had received a grant to install an elevator at Mahan Circle but needed NStar to install service from Route 109 to Pond Street to Mahan Circle. She was asking for help from the Town in contacting NStar. Ms. Fredette will make the contact.

Selectman Rozanski said she observed the tree planting on Lovering Street as well as the placement of benches. She also inquired about the Community Preservation Committee and if we could begin advertising for members. Ms. Fredette will solicit for membership. Selectman Rozanski brought up a communication received from Mark Der Garabedian regarding a sidewalk on Cottage Street. Selectman Williams did state that the Town has a sidewalk plan in place, and unfortunately, Cottage Street is not on the list although we are constantly looking for new sources of funding. Since DPS Director had referred Mr. Der Garabedian to the Board, a letter of response should come from the Board. Selectman Musmanno moved to authorize the Chairman to sign a letter of response to Mr. Der Garabedian; Selectman Dziczek seconded; all aye.

7. Report of the Chairman.

Selectman Williams noted receipt of an update letter from Melanson Heath & Company regarding the progress of the audit on the Treasurer's cash and Collector's receivable records. He asked that a copy of the letter be provided to the Audit Committee and that the Town Accountant and the Treasurer/Collector come to a Selectmen's meeting either on July 16<sup>th</sup> or July 30<sup>th</sup> for a progress report.

8. Discussion items.

MINUTES OF THE SELECTMEN'S MEETING  
JULY 2, 2001

- Selectman Dziczek did mention that in light of the storms that hit the area, Medway did not fair too badly, and all should be commended for their efforts. He wondered if DPS was assisting in the cleanup, and Selectman O'Leary wondered if brush would be picked up. This prompted Selectman Dziczek to inquire if there was now any overtime for various departments that had to be included in the 2001 budget as being prior to July 1<sup>st</sup>, and did that require an article on a future warrant for a previous year's bill.

9. Action items.

- A solicitor's permit had been submitted for KJP Advertising on behalf of "Hangers". Selectman Rozanski moved approval of the permit for the month of July during daylight hours and having their reps checking in with the Police Department each day as to location; Selectman O'Leary seconded; all aye.

10. Communications/correspondence/informational items.

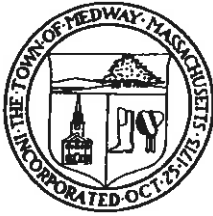
- Selectman Dziczek asked that the Chairman note receipt of a suit being filed by Ralph Costello. Selectman Williams acknowledged the lis pendens relative to the Fontanella property and that the Town would be represented. Selectman Rozanski noted the Board had not received a copy of the complaint filed.

10:00 p.m. – Selectman Dziczek moved the meeting be adjourned; Selectman O'Leary seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
as amended  
7/16/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JUNE 25, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Lee Henry, DPS Director

Re: status of Idylbrook Park project, Summer Street project, Summer Street project as it relates to the new high school, status of Medway roads, sidewalk and paving plan updates.

7:30 p.m. – Greg L. Balukonis, Town Administrator designate.

2. Approval of minutes.
  - Regular meeting minutes of June 4, 2001.
  - Executive session minutes of June 4, 2001.
  - Regular meeting minutes of June 11, 2001.
  - Executive session minutes of June 11, 2001.
3. Public comments.
4. Town official updates.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Special town meeting – June 27<sup>th</sup> – 7:00 p.m.
  - Selectmen's meeting – July 2<sup>nd</sup> – 7:00 p.m.
  - Selectmen's meeting – July 16<sup>th</sup> – 7:00 p.m.
12. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*CV. DVB*



MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams called the meeting in Sanford Hall of Town Hall.

1. Selectman Rozanski moved the Board approve and sign warrant #52 in the amount of \$634,146.33; Selectman Dziczek seconded; all aye.

7:05 p.m. – DPS Director Lee Henry came to meet with the Board to inform them about several issues.

- The first item was the status of the Idylbrook project. He provided some background on the original purchase by the Town of 41 acres, 31 acres of which was given to the Conservation Commission, and 10 acres to the Park Commission for active playing fields. Within the 10 acres, one baseball field, three soccer fields, and one utility field were completed in November 2000. The turf grass requires four growing seasons to take hold which means the fields will not be able to be utilized until Spring 2003. When the turf is tough enough, the Park Commissioners will begin permitting the fields. DPS will be installing two parking areas, of approximately 30-40 spaces each, after July 1<sup>st</sup> off of Wards Lane and Kimberly Drive as part of a deduct on the overall project. Mr. Henry explained the concern of the Park Commissioners to discourage the use of the playing fields until the turf was ready, which is why gates were put up. Selectman Dziczek asked if they were on the original schedule for use of the fields, and Mr. Henry felt they were just one growing season behind, but the well was installed to a depth of 700 ft. and running at 25 gallons per minute. Insofar as budgeting was concerned, Mr. Henry indicated all funding had been expended. Selectman Dziczek did note the many sports groups that have contributed money and time and labor for the fields in Town.
- Mr. Henry expounded about the Summer Street reconstruction project. He stated they were about ready to look at the 75% plan. He noted how this was almost at a standstill until Mass. Highway Commissioner Matt Amarello came to Town a couple of weeks ago and committed \$2.8 million to the effort. Mr. Henry has, since then, contacted VHB on designing the area with an additional sidewalk from the high school entrance to Milford Street. He noted that the Norfolk County Engineers had some details that were missing and VHB has filled in those gaps. He hoped for that design during the first week in July. Then they could have a public information meeting after that to present the whole plan to the public. From that presentation, corrections, if necessary, will be made and the plan will be given back to the engineers for a 100% plan, which will then be submitted to Mass. Highway. Mr. Henry spoke about a possible tree loss of 85 trees in 2.3 miles instead of the original proposed loss of over 160 trees. In this way, they can continue the sidewalk up to Adams Street from Milford Street.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

- As the Summer Street project relates to the high school, Mr. Henry said he went to the Municipal Building Committee meeting last week. It was noted that there does not need to be a traffic light at the entrance according to Rizzo Associates. Mr. Henry thought that possibly the parameters Rizzo was using were not correct, and asked VHB to double-check. He added that even the chief traffic engineer of Matt Amarello's office thought a light was needed there. At the same time, location of drainage is being looked at.
- Mr. Henry went on to the Medway roads and provided the Board with an updated paving schedule, copy attached. The list for FY'02 includes: Causeway Street, Coffee Street, Ellis Street, Hillside Court, Oakland Street, Samoset Circle and West Street. He noted that the Town by-law stipulates that, if a road is cut into that has been paved within the last five years, it has to be then paved shoulder to shoulder. For this reason, they will keep updating their list of streets as they are paved for future reference.
- Mr. Henry then went on to the roadwork schedule, copy attached. He indicating that berming has not been done as a matter of course. It was decided a while back that it should be done so it keeps the water on the road and then flowing into the Town's drainage system, rather than on the property of residents. In the course of time, he believed that he would spend about \$310,000 of the \$332,000 in chapter 90 funds. Selectman Rozanski noted that additional funding might be available, and if those dollars became available, Mr. Henry said he would use the money for additional drainage or roadwork. Selectman Rozanski asked about the "crack and seal" method for maintaining of roads. Mr. Henry indicated that is a good method if the streets are in the proper condition to begin with. This could usually be done if the roads are within a three-year paving system. He thought possibly that could be addressed in a second five-year plan. He also noted the involvement this year with the Metrowest Regional program for purchasing of road materials.
- Mr. Henry went on to the sidewalk program, copy attached, of which chapter 90 funds cannot be used and is really Town tax money that is raised and appropriated. He noted that it was a requirement for any road to be eligible for federal aid, street signage has to follow the "Manual on Uniform Traffic Control Devices – MUTCD 2000" requirements, which limits signs to 9" letters, a reflective background of blue or green, reflective white letters, on break-away poles at every intersection. Signs will also be on the poles indicating which roads are private and scenic. Each pole with signs cost \$104 each (2 street signs at each intersection), or \$52 for one pole with one set of signs. According to the mandate, the Town has two years to complete the signage program. Mr. Henry indicated he would be pursuing information for a grant through the Federal Highway Administration available through FHA. He will also speak to Representative Jim McGovern, who is on the Transportation Committee. When asked how and when this would begin, Mr. Henry stated the Town was split into four quadrants, similar to the four precincts, and would be starting east to west trying to do one quadrant every six months. A rough estimated cost was \$100,000.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

- Mr. Henry brought up the additional funding available to the Town on a formula for accepted streets, so it was to the Town's advantage to get all the streets accepted.
- Selectman Dziczek asked Mr. Henry his opinion about the possibility of a \$1 million debt exclusion for roads? Mr. Henry stated he was grateful for some of the concern of residents on the condition of roads, but even if they had the money, there was no possible way it could be accomplished. There was no plan, where would the traffic be detoured to? He believed a better plan was to set aside money in a capital plan specifically for roads and sidewalks.
- He noted a road and sidewalk symposium that was held back in 1998, where residents could be informed about the road and sidewalk situation, and asked Board members if this was something that should be done again? There did not seem to be much need to do so.

Selectman Dziczek moved to approve the roadwork schedule plan as presented by Mr. Henry for year 4 for a total cost of \$309,372.00; Selectman O'Leary seconded; all aye.

Mr. Mosher noted that temporary repairs had been done to the Brundage's Corner Bridge; after that, permanent repairs would be done.

Mr. Mosher also indicated that a communication had been received by DEM concerning storm damage this spring indicating that MEMA and DEM will have grant programs available. He had requested Mr. Henry to apply for the grants.

8:10 p.m. – Selectman Williams clarified that Greg Balukonis would not be meeting with the Board this evening as some details needed to be clarified, and the Board would be going into executive session later on in the evening to discuss them. He noted that he and Selectman Rozanski met with Mr. Balukonis this day, and that he would in most likelihood be coming next week instead. If all is approved, Mr. Balukonis would start July 16<sup>th</sup>. Selectman Rozanski added that she and Selectman Williams felt it was inappropriate to just ask the Board to sign a contract without reviewing it first.

2. Approval of minutes.

- Selectman Rozanski moved approval of the regular meeting minutes of June 4<sup>th</sup>; Selectman Musmanno seconded as amended; all aye.
- Selectman Musmanno moved approval of the executive session minutes of June 4<sup>th</sup> not to be released; Selectman Rozanski seconded; all aye.
- Selectman Rozanski moved approval of the regular meeting minutes of June 11<sup>th</sup>; Selectman Musmanno seconded as amended; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

- No action on the executive session minutes of June 11<sup>th</sup>.
- 3. Public comments – none.
- 4. Town official updates – none.
- 5. Report of the Town Administrator.
  - Mr. Mosher noted receipt of a memo from the Police Chief indicating he would be taking his annual vacation leave from June 29<sup>th</sup> through July 13<sup>th</sup>, and Lt. Malo will be acting in his absence.
  - Mr. Mosher stated that the Water/Sewer Board had received the resignation of Sandra Bennett effect July 12<sup>th</sup>, and the position was currently being advertised.
  - Mr. Mosher said he had received a communication, for a matter of record, regarding water liens and the cooperative effort lacking, which should be addressed. *Sara Williams requested Selectman Musmanno look into the matter as liaison.*
  - Mr. Mosher stated, in the fourteen weeks he had been in Medway, each person has been helpful. He thanked Ms. Fredette and Town Accountant Kurtis Johnson. Mr. Mosher sent him a letter, a copy of which is included in his personnel file, commenting on his dedication to the position and his being an asset to the Town. It was with mixed emotions he was leaving. At this point, the Board of Selectmen thanked Mr. Mosher for his guidance and leadership over the past three months to a round of applause. Mr. Mosher said he would leave some notes behind for the new Town Administrator.
- 6. Reports of the Selectmen.
  - Selectman Dziczek had none.
  - Selectman O'Leary noted attending a Central Transportation Planning Staff meeting held with people from Mass. Highway relative to Route 109 in Medfield. Conversation centered around the amount of traffic, where motorists were coming from and going to, the number of cars each household has, and should the State take over Route 109. If that occurs, however, local control would be gone. They did agree that they did not want it to become a four-lane highway similar to Route 1 or Route 9.
  - Selectman Musmanno stated he had spoken with Marcia McClary and John O'Brien on the current status of Sithe New England. He informed the Board that Mr. O'Brien indicated he had collected offers

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

for the purchase of the project as the plant will be sold. When asked about the expansion project, Selectman Musmanno stated, if sold, the project would not be happening at the current schedule. It would be part of the sale, including the host and pilot agreements. Financially, this was significant.

- Selectman Rozanski had attended the Norfolk County Advisory Board meeting at which time the appropriation for next year had been passed. She stated that the Open Space Committee and the Planning Board were walking the Fontanella property. Selectman Rozanski said she had attended the Eagle court of honor for Scott Gaulitz. Selectman Musmanno moved a confirmatory vote on the proclamation for Scott; Selectman Dziczek seconded; all aye. Selectman Rozanski noted that his project had been to build boxes to capture feral cats, have them spayed, and then released again with the assistance of the Animal Control Officer.

7. Report of the Chairman.

- Selectman Williams stated he would be going to the MBTA meeting on July 2<sup>nd</sup>.

Frank Varrichione, who was in the audience, indicated he believed the two ballot questions passed with just over 300 people going to the polls to vote. He also thanked Mr. Mosher for his service to the Town in the interim process.

8. Discussion items – none.

9. Action items – none.

10. Communications/correspondence/information items – none.

11. Dates to remember.

- Selectman Williams reminded the audience of the special town meeting coming up on July 27<sup>th</sup>, and the Selectmen's next meeting on July 2<sup>nd</sup>.

12. Executive session.

8:40 p.m. - Selectman Rozanski moved that the Board adjourn to executive session for reason #3, to discuss strategy with respect to preparation for collective bargaining, negotiation with non-union personnel if an open meeting may have a detrimental effect on the governmental body's bargaining position, not to return to public session; Selectman Musmanno seconded; all aye. The vote: Selectman Dziczek – yes; Selectman

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 25, 2001

O'Leary – yes; Selectman Musmanno – yes; Selectman Rozanski – yes; Selectman Williams – yes. Interim Town Administrator William Mosher left at this time.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
7/2/01



## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

LEE E. HENRY  
Director  
(508) 533-3275

### PAVING SCHEDULE (REVISED 6/22/01) (Based on Plan Approved 8/22/98)

#### PAVING – YEAR 1 OF 5 – FY'99

STREET:  
MALLOY ST.  
KELLEY ST.  
KENART ST.  
KOYVIEW ST.  
SANDERSON ST.  
PINE ST.  
NORTH ST.  
PEACH ST.  
BROAD ST.  
BARBER ST.  
CROOKS ST.  
SCHOOL ST.  
SANFORD ST.  
POPULATIC ST.  
WINTER ST.  
DELMAR RD.  
PRISCILLA RD.  
HILL ST.

STATUS:  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED

#### PAVING – YEAR 2 OF 5 – FY'00

STREET:  
WARDS LANE  
PARTRIDGE ST.  
OHLSON CIRCLE  
HOWE ST.  
ADAMS ST.  
MEADOW ST.  
FLORENCE CIRCLE  
GRACE TERRACE  
SUNSET DR.  
CLARK ST.  
GREEN ST.

STATUS:  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED

#### PAVING – YEAR 3 OF 5 – FY'01

STREET:  
CASTLE ROAD  
CUTLER ST.  
ELM ST.  
EVERGREEN ST.  
LOVERING HEIGHTS  
MUSQUIT RD.

STATUS:  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED  
COMPLETED

## PAVING PROGRAM (REVISED 6/22/01)

Page 2

### PAVING – YEAR 4 OF 5 – FY'02

<u>STREET:</u>	<u>STATUS:</u>
CAUSEWAY ST.	TO BE DONE
COFFEE ST.	TO BE DONE
ELLIS ST.	TO BE DONE
HILLSIDE COURT	TO BE DONE
OAKLAND ST.	TO BE DONE
SAMOSSET CIRCLE	TO BE DONE
WEST ST.	TO BE DONE

### PAVING – YEAR 5 OF 5 – FY'03

<u>STREET:</u>	<u>STATUS:</u>
COTTAGE ST	MOVED FROM YR 4
HIGHLAND ST.	MOVED FROM YR 4
LOVERING ST.	TO BE DONE
WEST ST.	TO BE DONE

### PAVING – YEAR 1 OF SECOND 5 YR PLAN – FY'04

<u>STREET:</u>	<u>STATUS:</u>
INDUSTRIAL PARK RD.	TO BE DONE
WINTHROP ST.	TO BE DONE



## TOWN OF MEDWAY

Dept. of Public Services

## ROADWORK SCHEDULE

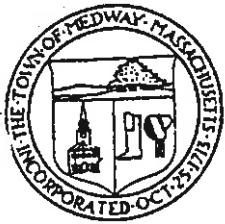
## YEAR 4

7/1/01 TO 6/30/02

STREET NAME	WIDTH (LF)	LENGTH (LF)	AREA (SF)	*GR,FG & ROLL (SY)	BERM (LF)	**PAVING (INCHES)	PAVING (TONS)	LINEAGE (LF)	CB/DMH (#)	TOTAL COST
1. Causeway St.	20	3,168	63,360	7,040	6,340	4.5	1,775	9,504	6	
2. Coffe St.	21	773	16,233	1,805	1,550	4.5	455	2,319	13	
3. Ellis St.	20	5,016	100,320	11,150	10,040	4.5	2,810	15,048	10	
4. Hillside Court	23	258	5,934	660	0	4.5	170	1,032	3	
5. Oakland St.	24	2,600	62,400	0	0	1.5	585	25,872	25	
6. Samoset Circle	25	550	13,750	1,530	1,100	4.5	385	1,650	9	
7. Village St.	32	1,000	32,000	3,560	2,000	4.5	900	4,000	12	
<b>TOTAL</b>		<b>13,365</b>	<b>293,997</b>	<b>25,745</b>	<b>21,030</b>		<b>7,080</b>	<b>59,425</b>	<b>78</b>	
<b>TOTAL COST</b>				<b>\$33,500</b>	<b>\$63,100</b>		<b>\$201,072</b>	<b>\$8,920</b>	<b>\$11,700</b>	<b><u>\$309,372.00</u></b>

\*Grinding, Fine Grading &amp; Rolling

\*\*2.5" Binder; 2.0" Top



## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

LEE E. HENRY  
*Director*  
(508) 533-3275

### **SIDEWALK PROGRAM (REVISED 6/22/01)**

(Based on Plan Approved 8/22/98)

#### **REPAIR/CONSTRUCT SIDEWALKS – YEAR 1 OF 3 – FY'01**

STREET:  
LOVERING HEIGHTS  
MCGOVERN SCHOOL

STATUS:  
COMPLETED  
MOVED TO YR 2

#### **REPAIR/CONSTRUCT SIDEWALKS – YEAR 2 OF 3 – FY'02**

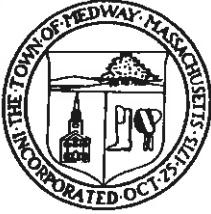
STREET:  
MCGOVERN SCHOOL  
MALLOY ST.  
PINE ST.  
NORTH ST.  
BROAD ST.  
BARBER ST.  
SCHOOL ST.

STATUS:  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED

#### **REPAIR/CONSTRUCT SIDEWALKS – YEAR 3 OF 3 – FY'03**

STREET:  
MILFORD ST.  
LOVERING ST.  
HOLLISTON ST.

STATUS:  
TO BE COMPLETED  
TO BE COMPLETED  
TO BE COMPLETED



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JUNE 18, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Jedidiah Mannis, Shelter Island Fund, Inc.

Re: acceptance letter on assignment of right of first refusal.

2. Approval of minutes.
  - regular meeting minutes of April 30, 2001.
  - regular meeting minutes of May 14, 2001.
  - regular meeting minutes of May 21, 2001.
3. Public comments.
4. Town official updates.
5. Report of the Town Administrator.
6. Reports of the Selectmen.
7. Report of the Chairman.
8. Discussion items.
9. Action items.
10. Communications/correspondence/informational items.
11. Dates to remember:
  - Special election – June 25<sup>th</sup> – 8:00 a.m. – 8:00 p.m.
  - Selectmen's meeting – June 25<sup>th</sup> – 7:00 p.m.
  - Special town meeting – June 27<sup>th</sup> – 7:00 p.m.
12. Executive session (if required for reason #3).

\* all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 18, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams opened the meeting in Sanford Hall of Town Hall.

1. Selectman Rozanski moved the Board approve and sign warrant #51 in the amount of \$1,595,493.70; Selectman Dziczek seconded; all aye.

7:05 p.m. – Jedediah Mannis came to meet with the Board concerning an acceptance letter on assignment of right of first refusal.

Selectman Rozanski stated she met with Mr. Mannis and Town Counsel for acceptable wording. The main changes had to do with areas involving #5, the ARCPUD special permit and #7, rights of transferee or assignee of the terms and conditions. With reference to #5, she indicated that Mr. Mannis had agreed to the stringent regiment of ARCPUD. With regard to #7, should any portion of the assignment be invalid, it would not invalidate the assignment as a whole.

Selectman Rozanski moved to affirm the Board of Selectmen's assignment of right first refusal to the non-profit organization known as Shelter Island Fund, Inc. with the terms and conditions as attached in the Notice; Selectman Dziczek seconded for discussion, and asked several questions.

1. One of the original stipulations was for 50 units, and now the plan was to go back to 60. Selectman Rozanski indicated it was now shown as 60 units under #3 of the terms and conditions.
2. He understood the assignment prohibits Shelter Island from developing any more than 60 units even if the possibility existed of developing more of the property. Mr. Mannis said that was true.
3. He asked about who could go on the property, and Mr. Mannis confirmed no one else would go in when Shelter Island leaves other than those who will have the land deeded to them for managing and maintaining the open space. He noted that different areas will be deeded to different people, and eventually he won't own any of it.
4. When asked about the cost of the units, Mr. Mannis again said \$275,000. Insofar as low income or affordable housing, Selectman Rozanski stated this was not a comprehensive permit, so there would be none.
5. When asked about a certain percentage being available for Medway people, Mr. Mannis indicated that it was suggested early on if the Town wanted to pursue this, it could be built into the permit.

On the motion, aye 3-0-2 with Selectmen O'Leary and Musmanno abstaining. Board members signed the Notice of Exercise of right of First Refusal to Purchase Land, with Bob Heavey notarizing their signatures. Mr. Mannis stated he would record the Notice at the registry in the morning, and mail a recorded copy back to the Board.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 18, 2001

With regard to what happens next, Mr. Mannis said he would be appearing informally to the Planning Board. If all goes well, his application would be filed within 60 days. He did indicate that the Planning Board has 135 days to render a decision. He believed the process would probably go slow since this is the first ARCPUD, but hoped to start construction in the Spring.

2. Selectman Rozanski moved approval of the regular meeting minutes of April 30<sup>th</sup>; Selectman Dziczek seconded as amended; aye ~~4-0-1~~ with Selectman Musmanno <sup>4-2-2-5-5</sup> abstaining. 3-0-2

Selectman Musmanno moved approval of the regular meeting minutes of May 14<sup>th</sup>; Selectman Rozanski seconded as amended; all aye 5-0-0.

Selectman Dziczek moved approval of the regular meeting minutes of May 21<sup>st</sup>; Selectman Musmanno seconded; aye 4-0-1 with Selectman O'Leary abstaining.

3. Public comments – none.
4. Town official updates -- none.
5. Report of the Town Administrator.

- Mr. Mosher reported to the Board on the weekend's flood damage and the several areas that were affected. He referred to a copy of a report submitted by DPS Director Lee Henry, with top priority being Brundage's Corner Bridge on Village Street. Mr. Henry was present to add to the report with his comments.

Mr. Mosher indicated this site was the most expensive and the most time-consuming to repair as it might necessitate Village Street being closed for a period of time. Mr. Henry added the extra dilemma this might cause with the reconstruction of Route 109 going on at the same time, and that there would be an added inconvenience to the public. He was also concerned about the additional rain forecast for later on in the week. Mr. Henry has also brought this to the attention of Tree Warden Ron Dolloff since, with the Attorney General's approval, Village Street may be a scenic road and any trees to be removed would have to be handled after a public hearing.

Mr. Henry added that spending additional dollars for these repairs will impact year 4 of the paving plan, to which he was already making changes on. Mr. Henry indicated he did take remedial action on the baseball field on Center Street, with the approval of the chairman of the Park Commission, for fear of a child getting hurt there. He would be speaking to VHB about possibly putting box culverts there.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 18, 2001

Selectman Musmanno voiced his concern that a similar situation had occurred on Village Street with Bay State Gas, and ~~possibly some of that funding could be used for this repair project.~~ *any related defects to the bridge.*  
*was concerned with*

Selectman Rozanski asked about a plan, costs and a procedure with a timeline. Mr. Mosher thought that could be put together in about two weeks. Mr. Henry was hoping to meet with Mass. Highway to possibly utilize chapter 90 funds.

- Mr. Mosher referred the Board to his letter to Planning Board chairman Diane Borgatti relative to the Marian Community. He believed he had answered her concerns with the attachments referenced in his letter. He stated that according to Town Counsel, they were a religious organization and, as such, were waived from the site plan approval process.
- Mr. Mosher informed the Board of a pole petition relocation hearing held earlier in the day. He explained that the proper notice was placed in the newspaper and abutters were notified. This was relative to seven poles being relocated because of the Route 109 reconstruction project. He asked that the Board sign the petition as there was no opposition voiced at the hearing.

6. Reports of the Selectmen.

- Selectmen Dziczek and Musmanno had none.
- Selectman Rozanski noted her attendance at the Mass. Selectmen's Association. She did not believe Medway would receive all of the \$76,000 in lottery monies that was originally hoped, probably 20% less. She also indicated that the budget was in conference, and the Town may not see any figures until September. Selectman Williams thanked her for her involvement in the Shelter Island Fund negotiations with Town Counsel.
- Selectman O'Leary stated she attended a party for several teachers who were retiring. They had mentioned the problems with water in their classrooms, and encouraged people to go out and vote at the special election to be held on June 25<sup>th</sup>.

7. Report of the Chairman.

- Selectman Williams mentioned an upcoming meeting relative to the Route 109 corridor project that Selectman O'Leary said she might attend on behalf of the Board.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 18, 2001

Selectman Williams passed out a proposed summer schedule, which Selectman Rozanski moved to approve; Selectman Dziczek seconded; all aye 5-0-0.

Selectman Williams mentioned it was his hope that Greg Balukonis, who was negotiating with the Board for the position of Town Administrator, would be able to sign a contract at next Monday's meeting. Understanding that Mr. Mosher's last meeting with the Selectmen was that same Monday, Selectman Dziczek inquired as to when Mr. Balukonis would be on board? Selectman Williams was anticipating he would be available July 16<sup>th</sup>.

8. Discussion items – none.
9. Action items – none.
10. Communications/correspondence/informational items – none.
11. Dates to remember.

Selectman O'Leary asked that note be made of the special election to be held on June 25<sup>th</sup> with polls being open from 8 a.m. to 8 p.m. and the special town meeting to be held on June 27<sup>th</sup> at 7 p.m.

12. Executive session.

8:10 p.m. - Selectman Rozanski moved that the Board adjourn to executive session for reason #3, to discuss strategy with respect to preparation for collective bargaining, negotiation with non-union personnel if an open meeting may have a detrimental effect on the governmental body's bargaining position, not to return to public session; Selectman Musmanno seconded; all aye. The vote: Selectman Dziczek – yes; Selectman O'Leary – yes; Selectman Musmanno – yes; Selectman Rozanski – yes; Selectman Williams – yes.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

Approved  
9/5/01  
7/2/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JUNE 11, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Kim Shorey, Treasurer's Office and Lisa Dickinson, UniBank  
Re: signing of bonds for refinancing.

2. Approval of minutes – none.
3. Public comments.

7:15 p.m. – Priscilla Howker, Cultural Council and Margaret Cornell, Consultant.  
Re: Medway Historic Documents Initiative Survey Report.

4. Town official updates – none.
5. Report of the Town Administrator
6. Reports of the Selectmen
7. Report of the Chairman
8. Discussion items.
9. Action items.
  - (a) Approve one-day liquor license for St. Joseph Parish for June 23<sup>rd</sup>.
  - (b) Approve and sign special town meeting warrant.
  - (c) Sign Water/Sewer rehab contract with Allstate Power Vac. Inc.
  - (d) Sign Norfolk County Advisory Board appointment slip for R. Rozanski.
  - (e) Sign special election posting.
  - (f) Authorize Chair to sign letter recommending appointment of Mary Anderson as State Appointee to Housing Authority.
  - (g) Approve and sign agreement for consulting services with PGC Associates.
10. Communications/correspondence/informational items.

cc: ALB



11. Dates to remember:
  - (b) June 25<sup>th</sup> – Special Election.
  - (c) June 25<sup>th</sup> – Selectmen – 7:00 p.m.
  - (d) June 27<sup>th</sup> – Special town meeting – 7:00 p.m.

12. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 11, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams opened the meeting in Sanford Hall of Town Hall.

1. Selectman Rozanski moved approval of warrant #50 in the amount of \$553,796.48; Selectman Dziczek seconded; all aye.

7:05 p.m. – Kim Shorey from the Treasurer/Collector's Office and Lisa Dickinson of UniBank came to meet with the Board concerning refinancing of bonds.

Ms. Dickinson explained the refinancing was for 1990 bonds which were at 7.1%, and over \$1 million. They were able to refinance at 3.785% saving over \$85,000 over the life of the bonds. The Town would not be expending anything out of pocket. Ms. Dickinson indicated six bids were received ranging from 3.785% to 4.106% still with an A-1 rating. Mr. Mosher agreed it was a low rate and to have the additional use of \$1 million for an extra 45 days while the bond holders turn in them was great.

Selectman O'Leary moved that the Board vote that the Town issue \$1,055,000 Refunding Bonds under G. L. Ch. 44, § 21A to refund the Town's Municipal Purpose Loan of 1990 bonds dated September 1, 1990 maturing in the years 2002 to 2009 in the aggregate principal amount of \$1,000,000, including the payment of the redemption premium applicable to such bonds and costs of issuance related to the refunding bonds; and that the sale of the \$1,055,000 Refunding Bonds of the Town dated June 15, 2001, to Eastern Bank Capital Markets at the price of par and accrued interest is hereby confirmed. The bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2002	\$145,000	3.25%
2003	140,000	3.25
2004	140,000	3.50
2005	135,000	3.50
2006	130,000	3.75
2007	125,000	4.00
2008	120,000	4.00
2009	120,000	4.05

Selectman Rozanski seconded as read; all aye. Ms. Dickinson explained there were eight bonds to be signed, and thanked the Treasurer/Collector's office for their help.

2. Approval of minutes – none.
3. Public comments – none.

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Selectman Rozanski stated, as requested, met with the principals on the Fontanella project. She indicated one of the conditions was economically unworkable for them to meet and that was going from 60 units to 50 units. She asked that the Board reconsider the vote of May 21, 2001 on that one condition, specifically dealing with the number of units, requiring a 2/3 vote; Selectman Dziczek seconded. Selectman Williams corrected the motion made by Selectman Rozanski to be, to reconsider the motion made on May 21, 2001 regarding the Fontanella land; Selectman Dziczek seconded; aye. The vote: 3-0-2, with Selectmen O'Leary and Musmanno abstaining.

Selectman Williams went over the motion again, which was that the Board reconsider the one specific condition relating on the number of units that could be developed from 50 to 60 units; Selectman Dziczek seconded.

Mr. Mosher explained part of the discussion should be what has been required, and the other conditions they want to put in which we are not in agreement with – there are differences. Selectman Williams stated when they change one of these conditions, and ignore others, the assignment would not be activated. Even though she could not vote, Selectman O'Leary commented the other applicant would have built 60 units, but Selectman Rozanski indicated the other developer was not a non-profit organization. She also noted that at least 60 units were needed to meet the \$2 million price.

Selectman Williams went back to the motion of 60 units instead of 50; aye. The vote: 3-0-2, with Selectmen O'Leary and Musmanno abstaining.

Mr. Mosher stated, in speaking with Town Counsel and based on information provided in accordance with section 14 of chapter 61A, now that you have voted to assign the right of first refusal, and a majority of the Board that voted has voted in the affirmative, the first part of the document is giving notice to Edward Fontanella as the owner of record that this is a legal document and will be recorded with the Registry of Deeds.

Mr. Mosher stated that the second part of the packet, exhibit B, refers to the terms and conditions, and several of the terms were a concern, including #4 (roll-back taxes), #5 (special permit), #6 (right to sell, transfer, convey), and #7 (rights of transferee or assignee). A revised version had been retyped, and he believed the Board's intent was in the revised version. Mr. Mosher indicated the Notice could be signed, but the terms and conditions should be reviewed. Selectman Dziczek suggesting tabling the discussion; however, Selectman Rozanski moved to authorize the Board of Selectmen to sign the Notice of Exercise of Right of First Refusal to Purchase Land; Selectman Dziczek then seconded for further discussion as he saw Jedediah Mannis entering the meeting.

Mr. Mannis had not seen the revised version and asked for a few moments to look it over. He voiced some concern that there might be a problem if the Planning Board did not grant a special permit, and the bank was insisting on something feasible. He

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indicated they would be going forward in an unusual way without knowing if he could obtain a certain permit. He needed some assurance from the Planning Board, but there was not enough time to receive it. He hoped to appear before them on June 18<sup>th</sup>. He asked that the Board defer making a decision at this time since it was the first time he was seeing this version, but again stated it had to be a project that could be financed, and at this time, he could not tell that to the bank.

Mr. Mosher again voiced Town Counsel's concern that the property could be developed without regard as a regular subdivision if the Planning Board does not grant the ARCPUD permit, and then allows Paragraphs #1, 2 and 3 to be null and void. His contention was specific with the language in the paragraph #5 (ARCPUD special permit).

Selectman Rozanski then moved to table a vote until June 18<sup>th</sup>; Selectman Dziczek seconded. Mr. Mannis stated, at this time, this was the second time in two meetings that he was informed of big changes at a late date; he would like to discuss this in another way. Mr. Mosher explained he only got the revisions himself late this afternoon.

Glenn Trindade, who was in attendance, suggested Mr. Mannis, Town Counsel, a member of the Board, and himself get together to discuss this further. Aye on the motion to table. The vote: 3-0-2, with Selectmen O'Leary and Musmanno abstaining.

Selectman Rozanski reminded Mr. Mannis that the Board at least voted to allow 60 units instead of 50.

Selectman Williams agreed with Mr. Trindade and suggested that they get together to discuss the terms and conditions.

7:50 p.m. – Priscilla Howker of the Medway Cultural Council and Historic Initiative Committee, and Margaret Cornell, Consultant came to meet with the Board concerning their survey and report of Town documents.

Ms. Cornell read from a prepared text, copy attached, detailing her research over the past months and provided a recommended records management plan to be adopted for preserving the many records in the Town's possession.

Selectman Williams thanked Ms. Cornell for all her work and efforts, as well as that of the committee.

Selectman Dziczek inquired if Ms. Cornell felt she had surveyed 100% of the Town's records? She stated, not quite, but was pretty confident she had surveyed most of it. He asked if any records appeared to be missing? Ms. Cornell said in the school, ten years of minutes were missing. Selectman Dziczek asked if all departments got her summary for that department? She indicated they had.

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Selectman Musmanno asked if she felt the physical facilities were adequate for the archives? With the reconstruction going on, she felt it would be doable. Ms. Cornell did note there were other files in the basement that weren't surveyed, but encouraged departments to review the retention schedules for what could be destroyed vs. what had to be saved. She suggested, however, that a system be in place before everyone starts putting their files back in the basement, otherwise, there would be no organization again. Selectman Musmanno inquired about professionals doing the work, but Ms. Cornell said it would cost thousands of dollars.

Wendy Rowe, who was also present, stated what was done was just a study. There is funding for preservation, but they need a plan for all departments.

Selectman <sup>Williams</sup> ~~Dziezek~~ suggested this be placed on the "things to do" for the next Town Administrator. Selectman Williams agreed he could come up with a plan that would be strategic, tactical and historic.

Again Ms. Rowe said the committee was not going away, and this was just phase 1B, but further funding will still be needed.

Ms. Howker commented this has been placed on the back burner for <sup>many</sup> ~~300~~ years, and to not let it continue to sit there, but get a records management person to help coordinate, as the committee does not have the time to deal with it.

4. Town official updates – none.

5. Report of the Town Administrator.

- Mr. Mosher stated that the Emergency Finance Board voted, in accordance with Chapter 44, Section 10 of the General Laws to double the debt limit of the Town of Medway until such time as the amounts relative to the approved school construction projects is otherwise exempted from the debt limit. The debt limit was around \$40 million, and would now be around \$80 million. As soon as the SBAB approves the project, under Section 645 of the Acts of 1948, it would revert back.
- With reference to the special town meeting warrant, he stated that the Town no longer is required to place an article on the warrant to borrow grant money per Section 6A of Chapter 44.
- Regarding appointments, Mr. Mosher said he is aware that there are appointments that need to be done, but did not feel comfortable to make any as he would no longer be with the Town in two weeks. He did not feel it would be fair to the Board or the Town, and suggested this be delayed.

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Selectman Musmanno asked if he felt it was more appropriate for someone new to do? Mr. Mosher stated he had certain feelings on FinCom appointments even though Town Counsel has stated they are appointments of the Town Administrator, but he felt it should be more clearly defined at a town meeting.

Selectman Musmanno inquired if the Board of Selectmen should make a recommendation on some appointments? Mr. Mosher stated it was very clearly defined that most of the appointments belong to the Town Administrator, but the Town Moderator appoints the FinCom in some towns.

Selectman Musmanno referred to correspondence received on FinCom appointments, and that people are wondering what will be done about them. He did not know if the new Town Administrator would want to make the appointments.

Selectman Rozanski reminded Board members that most appointments expire June 30<sup>th</sup>, but unless you resign, you continue to serve until re-appointed or someone else is appointed in your place. She asked Mr. Mosher if he could document some recommendations to the Board before he leaves.

Selectman Williams believed this could be placed on hold for now unless a board needs new members. This was agreed.

Mr. Mosher just noted that in the by-law, the FinCom is appointed by the Board of Selectmen, but that was prior to Article XXIII being adopted, and since then Town Counsel has said that the Town Administrator appoints almost everyone, including the FinCom.

Selectman Rozanski brought up a request of the IDC to have another member appointed to their committee – what about that? Selectman Williams stated, unless a board cannot function, it is on hold.

6. Reports of the Selectmen.

Selectman Dziczek asked if DPS Director Lee Henry could meet with the Board on June 25<sup>th</sup> to discuss Idylbrook. Mr. Mosher indicated this would be set up, and to let him know if there is anything else the Board wishes to have brought up, and he could let Mr. Henry be aware of that ahead of time so he was prepared.

Selectman Dziczek asked Mr. Mosher if he was able to come up with a snow removal policy, but Mr. Mosher replied, there was no snow.

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Selectman Dzicek suggested this be asked of the new Town Administrator.

Selectman O'Leary said she attended the Planning Board meeting for a discussion on design guidelines for the Town. She did not feel she was on the same page as their members.

Selectman O'Leary briefly brought up meeting with Representative Loscocco and other interested people at the Route 126 site of the entrance to the new access to the new high school and to discuss that issue, as well as the reconstruction of Route 126 in general. She suggested a thank you letter be sent to Rep. Loscocco for all his help.

- Selectman Musmanno had nothing to report.

- Selectman Rozanski brought up an emergency repair that was done on Summer Street after Mass. Highway realized that it was an emergency situation.

Selectman Rozanski also brought up being at the Route 126 site and She noted that Mass. Highway Commissioner Matt Amarello was also at the site and that this had been delayed on the Tip list, but now he willing to increase the funding from \$1.4 million to \$2.3 million increasing the scope of services including 8,000 feet of additional sidewalk from Milford Street to the new high school. Charlie Myers, who was in attendance, said that the new sidewalk would be on the east side; the west side was already receiving a sidewalk

7. Report of the Chairman.

Selectman Williams acknowledged receipt of a communication from Animal Control Officer Brenda Hamelin indicating she had completed a certification course in tactical baton, and also her attendance at the National Animal Control Association conference.

Selectman Williams also noted receipt of a thank you letter from former Assessor June Murray.

Selectman Williams presented the Board with a suggested liaison listing indicating he had placed on the list only elected boards and officials, and not anyone who reports directly to the Town Administrator.

Selectman Musmanno felt there should be more to the list than what was presented. He felt their role has been defined and that members are in touch with what is going on in Town. Assigning liaisons

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prevents them from going to all meetings and not sharing information. He did not feel this should be attributed solely to a contract.

Selectman Williams read a part of former Town Administrator Michael Hartman's letter dated May 24, 1999 on liaisons and concurred.

Selectman O'Leary was not concerned believing the Town Administrator would be bringing forth information to the Board when needed, and was comfortable with the liaison listing.

Selectman Rozanski thought there should be some middle ground. She agreed protocol was to allow the Town Administrator to be the key person, but some members of boards will call the Selectmen directly.

Selectman Williams believed the Board would stay out of trouble if they just stick to Article XXIII.

Selectman Musmanno would go along with it for now, but independent of Article XXIII, he wanted to make sure no one is overlooked because, "when you manage people that manage people", you must maintain contact with those people to make sure they are doing their job.

Selectman Williams agreed that an informal relationship was more important at this time than a formal relationship. As there were no strong objections, the liaison listing was accepted.

8. Discussion items – none.

9. Action items.

- a. Selectman Rozanski moved approval of a one-day all alcoholic liquor license for St. Joseph's Parish for June 23<sup>rd</sup> for a dinner dance; Selectman O'Leary seconded; all aye.
- b. Mr. Mosher explained the grouping together of articles involving departmental transfers as appeared on the omnibus article last May in one article on this special town meeting warrant. Selectman Dziczek moved the Board sign the warrant; Selectman Rozanski seconded; all aye.
- c. Selectman Rozanski moved the Board sign the Water/Sewer rehab contract with Allstate Power Vac Inc.; Selectman O'Leary seconded;



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all aye. It was noted the Town Accountant and Town Counsel had also signed off.

- d. Selectman O'Leary moved the Board sign the appointment slip for Selectman Rozanski to serve on the Norfolk County Advisory Board; Selectman Dziczek seconded; all aye.
- e. Selectman Dziczek moved that the Board sign the special election posting for the special election to be held on June 25<sup>th</sup> as was read by him; Selectman O'Leary seconded; all aye.
- f. Selectman Rozanski moved that the chairman sign a letter recommending Mary Anderson as State Appointee to the Housing Authority; Selectman Dziczek seconded; all aye.
- g. Selectman Dziczek moved that the Board sign the agreement for consulting services with PGC Associates for the period July 1, 2001 through June 30, 2002; Selectman O'Leary seconded; all aye. Selectman Dziczek suggested Mr. Carlucci come in sometime to meet with the Board and update them on his work. Mr. Mosher added that he spoke to Mr. Carlucci, and he was willing to assist in preparing the documentation for EO418. He clarified that Mr. Carlucci was not limited to working with the IDC as he was the Town's consultant.
- Mr. Mosher noted the clarification requested by Eric Cardone relative to the Shell sign permit he was seeking last week. He stated he had meant to say that the sign would be facing south on the canopy front as per the plan dated April 25<sup>th</sup>, and just wanted to make sure the Board did not have a problem with it. The Board was satisfied.

9:25 p.m.—Selectman Rozanski moved that the Board adjourn to executive session for reason #3, to discuss strategy with respect to preparation for collective bargaining, negotiation with non-union personnel if an open meeting may have a detrimental effect on the governmental body's bargaining position, not to return to public session; Selectman Musmanno seconded; all aye. The vote: Selectman Dziczek—yes; Selectman O'Leary—yes; Selectman Musmanno—yes; Selectman Rozanski—yes; Selectman Williams—yes.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
95 amended  
6/25/01

**Presentation to the Board of Selectmen, June 11, 2001**  
**Medway Historic Documents Initiative**

Members of the Board of Selectmen and Mr. Mosher, it is a privilege for me to come before you this evening. I would like to thank you for this time to speak about the Project known as the Medway Historic Documents Initiative. In the fall 2000, this Medway Project was awarded a Documentary Heritage Grant by the Archives Division of Secretary of State William Galvin's office and the Mass. Historical Records Advisory Board. Indeed receiving this Grant was an honor for Medway, for since 1999 seventy locations in the Commonwealth have applied for the grant money and only 31 Mass historical record projects have been selected, including Medway.

May I say also at this beginning point, that the Town of Medway is indebted to three people: Grace Hoag, Priscilla Howker, and Wendy Rowe. Grace and Priscilla have carried the torch for this project spending much time and energy to get it off the ground. Wendy Rowe is also a key person because she took the time to write the Grant in such a way that the State committee was convinced of a very worthy records project.

What was Medway's purpose for asking for the Documentary Heritage Grant? The answer is simply this: to make Medway history accessible to the general public by (1 surveying the records (what is there?), (2 assessing the record findings (where is the bulk? how are the records being managed? what condition are the records?); (3 making recommendations for the handling and preservation of the records.

Shortly after Medway received the Documentary Heritage Grant, I was hired as the consultant to fulfill the purpose of the Grant. Since January I have been locating the records, creating a database with a description of the records along with recommendations for preservation and better access for future use and reference. Town sites which have been surveyed include the Town Hall, the Police and Fire Depts, the Administration office of the Supt of Schools, the Cooperative and Strata Banks, houses of worship including St Joseph, Christ Episcopal, the Village Church, Community church, and Congregation Agudath Achim. Also the Public Library Historical Room, the Historical Society, and interviews with several residents who hold various records related to the Town.

As you know, many of the records in the Commonwealth's towns and cities are very precious and this fact includes Medway. In the Town Hall basement are various PERMANENT RECORDS: one-of-a-kind; priceless and include the most personal of public information. Examples of permanent records are vital records and meeting minutes. Many of these records are deteriorating, embrittled, and affected by red rot. The scenario also includes a great volume of records which are not permanent and can and should be discarded in an orderly fashion. This retention-disposal system for managing records is advocated and supported by the Secretary of State's office.

In your hands tonight is a portion of the records survey which is a partial listing of records found in the Town Hall basement. Having done this survey, may I present to you several serious considerations for the future:

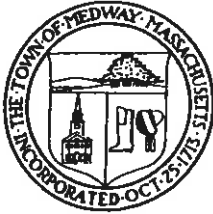
There is a great need at the Town Hall for a records management plan. No overall plan involving every office and Committee is present. Why is such a plan needed? First of all because of legislative and regulatory requirements for public records. Secondly, economics: time, money and space are saved. Thirdly: management. Staff feel in control of their records and confidence that the records can be ACCESSED on demand despite their sheer volume. Such a plan is organized in compliance, of course, with the policies, procedures, and legal requirements of the Massachusetts Secretary of State's office.

Such a records management plan does not happen overnight. It will take long range planning including calm prioritizing and budget considerations. For Medway, a quick fix for taking care of the basement records is not the way. I urge and highly recommend that you consider such a proposal.

Town records are made daily and retrieved daily and are public property. Records come in many formats including paper, computer disks, audio tapes, e-mails and faxes, microfilm, photographs, architectural plans and drawings.

The bottom line in my report this evening is a call to you, the Board of Selectmen, to consider how a carefully planned records management program could be brought about for the Town. Our records here are some of the Nation's most valuable. Some are one-of-a-kind and priceless. As consultant to the Town concerning your records I urge your careful consideration of this report and now will be happy to respond to any of your questions.

Respectfully submitted,  
Margaret McCready Cornell  
Consultant



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JUNE 4, 2001**

7:00 p.m. – Open meeting.

1. Approve and sign warrant.

7:05 p.m. – Adjourn to executive session with Town Counsel (confirmed).

7:20 p.m. – Return to public session.

2. Approval of minutes.
  - (a) Regular meeting minutes of March 26<sup>th</sup>.
  - (b) Regular meeting minutes of April 2<sup>nd</sup>.
  - (c) Regular meeting minutes of April 23<sup>rd</sup>.
  - (d) Executive session minutes of April 23<sup>rd</sup>.

3. Public comments.

7:30 p.m. – Interview for Town Administrator position.  
Michael Guzinski.

8:00 p.m. – Interview for Town Administrator position.  
Greg Balukonis (confirmed).

8:30 p.m. – Interview for Town Administrator position.  
Ed Gil de Rubio (confirmed).

9:00 p.m. – Jim Hoodlet, Municipal Building Committee (confirmed).  
Re: awarding of construction management contract.

9:15 p.m. – Eric Cardone representing Shell (confirmed).  
Re: approval of sign permit

9:30 p.m. – Bill Wright, IDC Chairman (confirmed).

- (a) EO418 compliance.
- (b) Permission to apply for grant for improvement of intersection of Route 109 and Trotter Drive.
- (c) Renewal of PGC Associates' contract (Town's consultant – Gino and Pandora Carlucci).

4. Town official updates – none.

cc: AUB

5. Committee reports.
6. Administrator's report.
7. Discussion items.
8. Action items.
  - (a) Approve one-day liquor license for St. Joseph Parish.
  - (b) Review of special town meeting warrant articles; final warrant to be signed on June 11<sup>th</sup>.
9. Communications/correspondence/information items.
10. Upcoming meetings.
  - (a) June 6<sup>th</sup> – Selectmen – 6:30 p.m.
  - (b) June 11<sup>th</sup> – Selectmen – 7:00 p.m.
  - (c) June 25<sup>th</sup> – Special Election.
  - (d) June 27<sup>th</sup> – Special town meeting -- 7:00 p.m.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

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Present: Selectmen John Williams, Raphaela Rozanski, Mary O'Leary, Joe Dziczek, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Williams opened the meeting in Sanford Hall of Town Hall.

1. Selectman O'Leary moved the Board approve and sign warrant #49 in the amount of \$1,911,415.44; Selectman Dziczek seconded; all aye.

7:05 p.m. – Selectman Rozanski moved the Board adjourn to executive session, per Chapter 39, Section 23B, for reason #3, to discuss litigation if an open meeting may have a detrimental effect on the governmental body's bargaining or litigating position; Selectman Dziczek seconded; all aye. The vote: Selectman Dziczek – aye; Selectman O'Leary – yes; Selectman Musmanno – yes; Selectman Rozanski – aye; Selectman Williams – yes.

7:25 p.m. – The Board reconvened the meeting in open session.

- The Board signed the re-precincting certification being sent to the Secretary of the Commonwealth for the Town of Medway attesting they accept the 2001 re-precincting plan as presented by the Town Clerk.
- Mr. Mosher presented the Board with the agreement for the Animal Control Officer between the Towns of Medway and Millis for fiscal years '01 and '02. He noted that the Millis Selectmen had already signed the agreements, therefore, it was appropriate for the Medway Selectmen, which they did.
- Mr. Mosher brought up another matter regarding a request for documents by the Milford Daily News. There was a difference of opinion in what constitutes a public document. The office of the Board of Selectmen, in the past, has provided copies of documents to the media, although sent to members of the Board. He stated he believed a document becomes a public record when the Board of Selectmen meet in open session and see that document. If the Board wishes information be provided earlier, fine, or if the Board would prefer to leave the matter for deliberation, fine.

Selectman Williams suggested this be a future agenda item, although Selectman Rozanski said, most of the time, the documents are pretty generic. She also felt it should be reviewed with the state public records division. Jennie Coughlin of the Milford Daily News indicated her letter also included a copy of former Town Administrator Michael Hartman's letter on the subject.

7:30 p.m. – Michael Guzinski came to meet with the Board concerning his application for the Town Administrator position.

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JUNE 4, 2001

Selectman Williams introduced the Board members, and provided some background on Mr. Guzinski. Mr. Guzinski thanked the Board for the opportunity to meet with them, and went over some of the issues he had dealt with in Blackstone, i.e. the power plant.

Some of the questions and answers follow:

JD: why hire him?

MG: honesty and integrity, high energy level, experience with the two communities similar, i.e. water/sewer infrastructure.

JD: area of T.A. duties he excelled in?

MG: people, ability to deal with diverse groups.

JD: controversial experiences?

MG: trash collection, landfill closing.

MOL: strong points?

MG: working with different people and department heads, finding resolution to issues, concise and to the point.

MOL: how build rapport with certain members of staff?

MG: meet with those department heads in a meeting, and get involved if need be.

JM: process of evaluation for him, and is there a right or wrong process?

MG: one page annual evaluation done, but does not feel BOS should wait until evaluation to give opinions; the form is a tool but does not solve problems.

JW: common issues with Blackstone?

MG: negotiations of pilot agreement, open space, over 55 housing, roads, upgrading of fire department to full time status.

JW: open space funding in Blackstone?

MG: no funding from the State, no grants, Planning Board got some through subdivisions.

RR: process of personnel issues?

MG: had contracts with ¾ of employees, met with BOS, personnel committee of three was formed and they worked with him on a non-union agreement with the plan approved at town meeting.

RR: process for the plan's success?

MG: had public hearings with not much input, met with department heads and employees, BOS then approved and to town meeting to ratify.

MOL: obtained grants for other projects?

MG: more administering than writing or searching.

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MOL: budget in Blackstone?  
MG: \$11 million.

MOL: normal day?  
MG: nothing is normal, open door for residents, on phone with attorneys, consultants, BOS, writing letters.

JM: what makes the job different, smoother, obstacles?  
MG: trying to educate everyone, squashing rumors.

JW: how would he work with School administration with \$29 million overall budget (\$17 million of that for Schools)?  
MG: reform act passed in '94 and '95 and were effected negatively, but would work with State, has had good relationship with Schools.

RR: aware of EO418?  
MG: not a lot of experience.

WM: provided a scenario of a meeting in TA office with 1 or 2 BOS, and heated discussion ensues – how would he handle the frustration?  
MG: is a calm person, would try to diffuse to wait for full board to further discuss.

WM: in building management team, almost all under supervision of TA except 1 or 2 elected officials – how would you utilize them to be an effective tool to run town government?  
MG: had a situation with treasurer/collector there, can deal with individuals, would not isolate that person.

JD: what was his role with finances in other towns?  
MG: TA does what board wants, i.e. balanced budget, accountant and TA go to all FinCom meetings, BOS sends packets for budget, then goes to TA, puts budgets together, TA and BOS give recommendation on budgets, then FinCom meets with all departments, when FinCom is ready to make recommendation, they meet with BOS and TA.

JD: what do you do with requests in budget came in \$1 - \$2 million more than funding available?  
MG: have dealt with it, and is better as it goes along.

MG: in closing, wants to serve the community.

8:15 p.m. – Greg Balukonis came to meet with the Board concerning his application for the Town Administrator position.

Selectman Williams introduced the Board members, and provided some background on Mr. Balukonis. Mr. Balukonis stated he had been interested in Medway from years ago. He felt he could provide the leadership, knows the area and the problems, has always

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 4, 2001

worked in the area of I-495, can make decisions, can prioritize, would work through the BOS.

JD: why hire him, and particular area of expertise?

GB: financial, budgets, has been involved with much of what Medway has gone through.

MOL: if friends were to describe him, what would be his strengths or imperfections?

GB: loyalty, confidence in job and life, trustworthy, does not like being blindsided, not enough time to accomplish things.

JM: process of evaluation for him, and is there a right or wrong process?

GB: should be based on results (goals and what delivered), standardized form.

JM: were those results positive?

GB: yes.

JM: then why Medway now?

GB: strong position i.e. budgetary authority, appointing authority, personnel authority, not so much gray area here, by-law in detail.

JW: what helped in the last 8 years in Norfolk?

GB: hired good people, appointed good people, had trust and confidence in their abilities, was not TA all alone.

RR: outcome of administration of personnel?

GB: be a positive person, be legally correct, be fair, open and accessible.

RR: aside from grievances, what if someone is not performing?

GB: is better if the individual is working me, but if for a department head, then you need to document, make yourself clean, establish standards, be structured, don't ignore the issue, possibly find another job for the individual within.

WM: in building management team, almost all under supervision of TA, except 1 or 2 elected officials, how would you deal with them?

GB: where they are elected, i.e. school committee, staff would deal with staff, also demonstrate you are capable and fair, and they will listen.

JD: controversial issues?

GB: budgetary, personnel functions not defined – was implied and was controversial among employees, issues not resolved and left.

MOL: different tasks done and which were the most fun?

GB: variety, never bored, tried to deal with middle issues, not ones on periphery.

JM: how handled recruitment of volunteers?



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GB: need definition of committee and how much time involved, do advertising, give a response time.

RR: role of BOS with TA?

GB: BOS set direction, goals, projects, masterminds of long-range vision, policy setting, receives feedback from community.

JD: what was process in Norfolk on budgets?

GB: about the same, had to come up with balanced budget, there were protected items, i.e. contracts, met with each department head.

MOL: why moved from one Town to another?

GB: looking for right job and where he could make positive impact.

MOL: were they short or long term commitments?

GB: all long term.

GB: in closing, have read papers, followed the stories, each community decides their own destiny, but would provide leadership, communication, be accessible, respectful of authority, has been interested all along.

9:00 p.m. – Edward Gil de Rubio came to meet with the Board concerning his application for the Town Administrator position.

Selectman Williams introduced the Board members and provided some background on Mr. Gil de Rubio. Mr. Gil de Rubio stated he had served on several boards and then got involved in public administration, is participatory management, is pro-active more than re-active.

JD: why hire him, and particular areas of expertise?

GD: is organized, communicates, has knowledge.

MOL: how would his friends describe him, both positive and negative?

GD: for positive - is organized and open, fair and equitable but not a pushover; for negative - puts too much heart into job.

MOL: day to day, what is ~~different~~<sup>difficult</sup> and what is enjoyable?

GD: all enjoyable, is stressful, fast-paced job, but likes it, likes working with public, hard to say no to people.

JM: process of evaluation for him, and is there a right and wrong process?

GD: weak TA form of government in Wrentham - came from strong, goals not done properly, personal issues were brought into Town Hall, was not able to set goals and then review them a year later, can't read minds.

JW: what might be some of the coffee shop stories?

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GD: not afraid of controversy, not satisfied with way BOS treated him, salary was low, current Clerk's contract not handled right.

RR: as personnel director, how did you get results?

GD: good job description, evaluate constantly, communicate, accessibility.

JD: financial role at annual town meeting?

GD: has strong financial background, but over the years BOS gave some of role to FinCom, sat with department heads and accountant to evaluate budget early and present to BOS and to FinCom, very involved.

JD: what if short on dollars?

GD: always had to trim, had to have balanced budget.

JM: what are most important?

GD: look at the Town and its needs, do administrative work and address needs of Board to fit makeup of community, to be here every day.

JM: TA top qualities?

GD: good leadership, communicates, write properly, financial background, deal with staff, union, department heads.

JW: foresee as biggest issues for Medway?

GD: I-495 belt pressure, schools.

RR: how would you recruit volunteers?

GD: need resources available, get younger blood, help from other people.

RR: how would you approach volunteers?

GD: recognition, newsletters, volunteer forms.

RR: define your objectives?

GD: committees need mission statement and goals and objectives.

JD: would you pursue grants?

GD: had funded a grant writer to come up with a wish list, need someone who knows the regulatory agencies.

GD: in closing, very interested in the position.

9:30 p.m. – Selectman Dziczek stated all three were excellent people, but he was ready to make a motion as to who to hire. Upon Selectman Williams' go-ahead, Selectman Dziczek moved that the Board entertain Greg Balukonis for the Town Administrator position; Selectman O'Leary seconded. Selectman Williams amended the motion to be, subject to the background check and negotiations; seconded.

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Selectman Musmanno believed there should be some time for discussion among the Board members, and during the deliberation, members may change their minds. He would like to schedule some time to meet people, and maybe meet Wednesday to deliberate. Selectman Williams said he liked the candidate, but would side with Selectman Musmanno on a second thought. Selectman O'Leary believed he was head and shoulders above the others. Selectman Rozanski noted she was on the original board that picked a Town Administrator, so this was the second time for her, and then the process was done by ballot. Selectman Dziczek stated he could appreciate Selectman Musmanno's position, but they could discuss it now and then do a ballot. Selectman Musmanno felt, as they as they were discussing it now, he did not feel the need to meet with them again later on in the week, and the balloting was appropriate.

Mr. Mosher indicated part of the background check was done and he had releases from all the candidates. Chief Lambirth indicated checks were positive for all three, and was, therefore, moving on to the next step. Selectman Rozanski felt they could not proceed without it; therefore, Selectman Dziczek said he would withdraw his motion. Selectman Musmanno inquired about references, to which Selectman Rozanski noted the committee had come to these three finalists after that process. Selectman O'Leary asked if hometown visitations were made. Selectman Rozanski stated only phone calls were made and by the consultant. At this point, she provided the names of the committee who assisted in the search process: Paul Wilson, Maryjane White, Jan Morris, Marjorie Sanford and herself. Selectman Rozanski felt it had been a good idea to bring on a consultant and that they had received 35-40 applications. When Selectman Dziczek asked Mr. Mosher what the next step, Selectman Rozanski told the Board that the last time, they had several meetings with the finalists, worked out several packages and consulted with labor counsel. Selectman Musmanno asked Mr. Mosher what he thought of the three candidates, and he commented they were all good. To specific questions, he thought the second candidate answered in a positive manner relative to the way the management team is developed.

The Board then decided to vote by secret ballot for their #1 choice with Selectman Williams collecting the names. He stated, usually, they would have to ask for a vote to make it unanimous, however, the ballot revealed it was 5-0-0, unanimous already, for Greg Balukonis. Selectman Rozanski moved to authorize the chairman to make Mr. Balukonis aware of the Board's decision; seconded. Selectman Dziczek amended the motion that the chairman notify all three; Selectman Musmanno seconded all aye.

9:45 p.m. – Jim Hoodlet, Vice-chairman of the Municipal Building Committee came to meet with the Board. He apologized that the contract for construction manager was not ready yet, but was continuing to work on it. He provided an update anyway indicating that the SBA submission had been completed, was received and acknowledged. He stated that they had sent a waiver required for extraordinary site costs, i.e. ledge removal, wetlands crossing, etc., which is discretionary. They were now deliberating on the \$39 million budget and cuts that needed to be made, still holding onto the contingency amount, concentrating on the building itself. Mr. Hoodlet noted there was pressure on

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the SBA to raise the cost per square foot from \$188, and if so, they would have to come back to the Town for the difference in cost.

Selectman Musmanno asked about a time frame, with Mr. Hoodlet responding they were at 50% of design development, hoping to be done by July 15<sup>th</sup>. Selectman Dziczek asked if the State Representative was helping, and Mr. Hoodlet stated Representative Loscocco has assisted them with the hope that Route 126 is done before the school is done.

6. Administrator's report.

- Mr. Mosher just wanted to let the Board be aware that he had approved an emergency transfer for the Town Accountant for up to \$2,000 for overtime for the Financial Assistant. He stated the cash audit is on-going and will be recommitted to the Treasurer/Collector to relieve the previous Treasurer/Collector of the bond. Mr. Johnson is very dedicated and hoped to have many things done, but other issues keep coming up. Ms. Penney will work weekends and later each day. FinCom chairman John Collett is aware of this and will be forwarded to the committee.
- Selectman Williams suggested the Board cancel the meeting set for Wednesday, June 6<sup>th</sup>.
- Mr. Mosher left the meeting.

10:05 p.m. – Eric Cardone representing Shell came to speak to the Board for approval of two sign permits. He indicated he was here for the denial of the sign to be attached to the side of the canopy over the gas pump island, and for the replacement of the freestanding I.D. sign

With reference to the I.D. sign, Mr. Cardone explained it was almost the same size and the same height outside the pump area, and in fact is smaller than the one presently existing. Selectman Rozanski moved to approve the 56.34 sq. ft. replacement sign by Motiva Enterprises at 86 Main Street; Selectman Musmanno seconded; all aye.

With regard to the new sign on the canopy, Mr. Cardone stated there were two Shell pectins there now which will be removed but the canopy will remain with Shell letters instead. Selectman Rozanski moved to approve the second sign with letters on the new canopy at 86 Main Street; Selectman Williams seconded. It was noted the existing sign is not illuminated but the pectins to be removed are. When questioned by Selectman Dziczek as to the placement of the sign, Mr. Cardone said it was to be placed on the east side of the façade as you travel west. All aye on the motion.

10:15 p.m. – Bill Wright, IDC chairman, came to meet with the Board concerning several issues.

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He indicated that the Town received the Ready Resource grant to research and apply for sewer in the Alder Street/Trotter Drive area. He believed there was a tight timeline deadline of September 30<sup>th</sup>.

There was also a marketing feasibility study being conducted, of which they were finding that the Town is lacking in every category including tax revenue.

There is a contract with Tata & Howard underway to look for sewer connection alternatives, with hopes to tie in with Milford if proving this is the best option.

The IDC's primary focus has been the grant application. They do need some organization with the property owners and the Town, making it beneficial to all in the industrial park. They are, however, making progress.

Mr. Wright indicated his concern with filing the EO418 documentation, which has to be a part of the grant application. Selectman Rozanski noted it was distributed to other boards for information, but has not been brought together. It was mentioned that Gino Carlucci of PGC Associates might be able to complete the process. Mr. Carlucci, who was present, indicated some of the information needed might be a problem, but could possibly be covered under the tasks he is assigned to do. Selectman Rozanski suggested Mr. Carlucci be the consultant on it, therefore, Selectman Williams asked Mr. Carlucci to call Mr. Mosher.

Mr. Wright stated that the engineering work at the intersection of Route 109 and Trotter Drive has been done, and they would like to get an amendment to the contract to continue the process. It would take approximately \$1,000 out of the Selectmen's consulting/expense account, but could be put on hold until July when new funds are available.

Mr. Wright also brought up PGC's contract which is up for renewal at the end of the month. Selectman Williams suggested Mr. Mosher look over the contract, and to place this on the agenda for next week.

Mr. Wright brought up a request to have Paul DeSimone appointed to the IDC, therefore, Selectman Rozanski moved to have him appointed. Since this was the Town Administrator's appointment to make, Ms. Fredette indicated Mr. Mosher's reluctance to do so. Selectman Williams suggested this be placed on the agenda for next week.

3. Public comments – none.
4. Town official updates – none.
5. Committee reports.

Selectman Williams stated he would be reviewing the liaison assignments.

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- Selectman O'Leary noted going to the High School graduation ceremony.
- Selectman Rozanski said she had attended the High School scholarship awards banquet on behalf of the Good Government Association.
- 2. Approval of minutes.
  - Selectman Dziczek moved approval of the regular meeting minutes of March 26<sup>th</sup>; Selectman Rozanski seconded; Selectmen Musmanno and O'Leary abstained; aye. The vote: 3-0-2.
  - Selectman Dziczek moved approval of the regular meeting minutes of April 2<sup>nd</sup>; Selectman Rozanski seconded; Selectmen Musmanno and O'Leary abstained; aye. The vote: 3-0-2.
  - Selectman Dziczek moved approval of the regular meeting minutes of April 23<sup>rd</sup>; Selectman Rozanski seconded; Selectman Musmanno and O'Leary abstained; aye. The vote: 3-0-2.
  - Selectman Rozanski moved approval of the executive session minutes of April 23<sup>rd</sup>, not to be released; Selectman Dziczek seconded; Selectmen Musmanno and O'Leary abstained; aye. The vote: 3-0-2.
- 7. Discussion items – none.
- 8. Action items.
  - (a) Selectman Rozanski moved that the Board approve a one-day all alcoholic license for St. Joseph Parish for June 16<sup>th</sup> from 1:00 – 5:00 p.m. for a family party; Selectman Dziczek seconded; all aye.
  - (b) The Board briefly reviewed the special town meeting warrant for June 27<sup>th</sup>, noting it would be signed next week. It was explained that departmental transfers would be done under one omnibus article.
- 9. Communications/correspondence/informational items – none.
- 10. Upcoming meetings.
- 11. Executive session – none further required.
  - The next meeting was on June 11<sup>th</sup>, and Ms. Fredette indicated she had not placed June 18<sup>th</sup> yet as she was uncertain if the Board wanted to continue meeting. At this point, Selectman Williams felt it was not necessary to have a meeting unless something comes up. The special election on June 25<sup>th</sup> was also noted.

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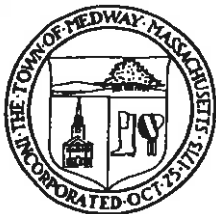
- Selectman Rozanski noted that Mr. Mosher had sent a letter on the assignment of right to Shelter Island and Attorney DeCapua. She inquired if there was an agreement needed? Selectman Williams suggested she check into it and report back to the Board.

10:50 p.m. – Selectman Dziczek moved the meeting be adjourned; Selectman Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
as amended  
6/25/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
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**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**MAY 21, 2001**

7:00 p.m. – Open meeting.

- Announce Board reorganization.

7:01 p.m. – Treasurer/Collector Barbara Walls.

Re: Board vote on reissuing and refunding of 1990 bonds.

7:05 p.m. – Town Clerk Maryjane White.

Re: Board vote on adopting a new precinct based on 2000 census.

Re: Set date for proposition 2-1/2 override ballot election.

7:15 p.m. – Mary Ellen Lavenberg, introduction of:

**John Clarkeson**, Executive Office of Environmental Affairs, Mass.  
Watershed Initiative.

Re: Community Preservation Act.

*in conjunction with:*

**Paul Sutton**, Metropolitan Area Planning Council.

Re: Medway's Buildout Analysis.

8:15 p.m. – Jim Hoodlet, Municipal Building Committee.

Re: Vote on two motions for eminent domain taking relative to the  
easement and three-acre parcel for new high school.

1. Approve and sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of March 12, 2001.
  - Special meeting minutes of March 17, 2001.
  - Regular meeting minutes of March 19, 2001.
3. Public comments.
4. Town official updates.
5. Committee reports.
6. Administrator's report.

cc: AUB



7. Discussion items.

- Chapter 61A Fontanella property.
- Attendance of new Board members to "New Officials Finance Forum".

8. Action items.

- Vote to authorize Chairman to sign letter to EOCD relative to Alder Street/Trotter Drive grant.
- Vote to authorize Chairman to sign certificate of re-appointment of Robert Heavey as rep to Tri-County.
- Set date for special town meeting.
- Open warrant for special town meeting tonight; announce date of closing of warrant (suggestion: 6/1/01 – 1:00 p.m.)
- Vote to appoint Missy Dziczek as representative to MBTA Advisory Board.

9. Communications/correspondence/informational items.

- Various.

10. Future agenda items.

- Review current policies and procedures.
- Discussion of Board goals for the next fiscal year.
- Assignment of liaisons to various boards.
- Set summer meeting schedule.
- Make various appointments.
- Review and approve special town meeting warrant.
- Update on Town Administrator Search Committee.

11. Upcoming Selectmen's meetings.

- a. Regular meetings on June 4<sup>th</sup>, 11<sup>th</sup>

12. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
May 21, 2001

Present: Selectmen John Williams, Raphaela Rozanski, Joe Dziczek, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette. Selectman O'Leary was not in attendance.

7:00 p.m. – Selectman Williams called the meeting to order in Sanford Hall of Town Hall.

Selectman Williams announced the Board reorganization, which consisted of himself as chairman, Selectman Rozanski - vice-chairman, Selectman O'Leary - clerk, re-introduced Selectman Dziczek – member, and Selectman Musmanno – new member. He thanked former Selectmen Harry Johnson and Dick Gildea for their service on the Board.

7:01 p.m. – Treasurer/Collector Barbara Walls came to speak to the Board requesting they vote on reissuing and refunding of 1990 bonds.

Mr. Mosher explained a municipality is allowed to refinance outstanding debt. At the time the vote was taken, the interest rate was 7%; now it is estimated to be about 4-1/4% for the remaining balance. Ms. Walls indicated she had looked at the old issuance of 7.1%, and a new debt schedule was formulated with the remaining balance of \$1 million creating a savings for the Town of \$81,000. Mr. Mosher agreed the Board should vote on the reissuance.

Selectman Rozanski moved that the Board of Selectmen vote: that, in order to reduce interest costs, the Treasurer be authorized to provide for the sale and issuance of bonds under General Laws, Chapter 44, Section 21A, to refund all or any portion of the remaining principal of and redemption premium and interest on the Town's municipal purpose loan of 1990 bonds dated September 1, 1990, and that for this purpose the Treasurer is authorized to provide for the preparation and distribution of a preliminary official statement; provided, however that no bonds shall be issued under this vote unless and until the final interest rates and other terms of the refunding bonds are approved by this Board; Selectman Dziczek seconded; all aye. Mr. Mosher clarified that the final interest rates will not be known until the date of the sale.

Mr. Mosher also noted that the underwriters have approved the bond for the new Treasurer/Collector, Barbara Walls.

7:05 p.m. – Town Clerk Maryjane White was not present to request that the Board adopt a new precinct based on the 2000 census, so Mr. Mosher filled the Board in on her behalf. He indicated the new precinct map had been prepared for all 351 cities and towns, and Medway would be increased from 3 to 4 precincts based on its population. Guidelines given indicated that the area has to be contiguous and the number of residents in a precinct cannot vary + - 5%, with State Law requiring physical boundaries.

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Selectman Rozanski moved to adopt the new precinct map as proposed by the Town Clerk; Selectman Musmanno seconded; all aye. Mr. Mosher indicated it might be in place for the annual election and the annual town meeting next year. He also believed that those who change precincts would probably be notified by mail. Now, the State has to review State representatives and congressional districts for 2002.

The other item on the agenda for the Town Clerk was to request that the Board set the date for the proposition 2-1/2 override ballot election. Mr. Mosher explained that Town Meeting had authorized two borrowings last week, and now a motion and a vote was required to set the date of the election.

Selectman Dziczek moved that the Board of Selectmen vote: under the provision of Section 21C of Chapter 59, proposition two and one-half, so called, to place a question to exempt from the limitation on total taxes the amounts required to pay principal and interest on the borrowing authorized under Article 12 of the May 14, 2001 annual town meeting before the voters at large on June 25, 2001; Selectman Rozanski seconded; all aye. (To clarify: this is for the school roofs for \$2,200,000).

Selectman Dziczek moved that the Board of Selectmen vote: under the provision of Section 21C of Chapter 59, proposition two and one-half, so called, to place a question to exempt from the limitation on total taxes the amounts required to pay principal and interest on the borrowing authorized under Article 12 of the May 14, 2001 annual town meeting before the voters at large on June 25, 2001; Selectman Rozanski seconded; all aye. (To clarify: this is for the school boilers for \$360,000).

7:15 p.m. – Mary Ellen Lavenberg, Medway's Metropolitan Area Planning Council's representative, introduced Kurt Gardner, substituting for John Clarkeson of the Executive Office of Environmental Affairs of the Mass. Watershed Initiative. She indicated, first of all, that MAPC and EOEA have been working on the community preservation act for a long time with this area being number 7 in growth in the region. Ms. Lavenberg stated a six-town study had also been done, looking at preservation initiatives, by which Medway can then decide if they want to apply for a grant of around \$30,000 for planning initiatives.

Mr. Gardner indicated the CPA was to improve and enhance the quality of life in Massachusetts, community by community, watershed by watershed. He was visiting all the towns to address their concerns in this regard. There had been summits and super summits (one of 43 communities) on build-out issues. He spoke about growth and the population doubling in less than thirty years, with developed areas increasing from 22% to 60%. He believed the trend will continue in the 495 corridor with 312,000 additional residents. With building permits being issued at the rate of 2700 permits per year in 43 towns, build-out could occur in 40 years. He asked that decisions be made carefully with resources, as

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maps indicate maximum build-out under existing zoning. He suggested Medway use community development, planning and funding if available. A guidebook was given to the Town in the hope that we would participate. Mr. Gardner reiterated Ms. Lavenberg's comments that the Town could access the \$30,000 of planning services in four areas: natural resources, housing, transportation and economic development. He indicated that contracts are through EOEa, with the Board being able to receive \$5,000 right up front. Proposals are being administered by MAPC with funding through the State and then out to MAPC and the communities. He indicated the Town has until 2003 to access the funds, but he would like to get an idea if Medway wants to participate.

Paul Sutton, regional planner for MAPC as next to speak about Medway's build-out analysis. His study tries to show what future development will provide and the impacts with population, the number of schools, water, etc. If the Town was happy with present development, then they can use his study as a capital planning tool; if they are unhappy, then they can use his study to model changes in the by-laws. He indicated he looked at "by-right" development, which is not a variance or a special permit, or a comprehensive permit, but new developments or vacant land.

Selectman Williams recommended Ms. Lavenberg be the point person, who, in turn, said she would relay information to Mr. Mosher. Selectman Musmanno suggested this be a follow-up agenda item within the next 75 days.

1. Approve and sign warrant.
  - Selectman Williams moved to approve and sign warrant #47 in the amount of \$673,951.24; Selectman Rozanski seconded; all aye.
2. Approval of minutes.
  - Selectman Rozanski moved to approve the regular meeting minutes of March 12<sup>th</sup>; Selectman Dziczek seconded; aye. Selectman Musmanno abstained.
  - Selectman Williams moved to approve the special meeting minutes of March 17<sup>th</sup>; Selectman Dziczek seconded; aye. Selectman Musmanno abstained.
  - Selectman Dziczek moved to approve the regular meeting minutes of March 19<sup>th</sup>; Selectman Rozanski seconded; aye. Selectman Musmanno abstained.
3. Public comments – none.
4. Town official updates – none.
5. Committee reports.
  - Selectmen Dziczek and Musmanno – none.

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Selectman Rozanski noted attending a recent meeting on the I-495 initiative, and would be attending a MAPC meeting later on in the week. She also stated that the Town Administrator Search Committee had completed their search, and were announcing the finalists for that position. The Chairman, Paul Wilson, was in attendance.

Mr. Wilson stated he had been away for twelve days and understood the committee had met with some of the applicants twice. He asked Selectman Rozanski if the committee had visited the towns they came from? She indicated no. He asked if they had done a background check on the applicants? Mr. Mosher indicated it was going to be done. On the basis of those answers, Mr. Wilson recommended holding off on making any announcement. Selectman Rozanski stated the committee had voted on the finalists and were now bringing it to the Selectmen. Mr. Wilson again reiterated that his suggestions should be done for the Town and themselves; to finish the job they started before releasing any names.

Selectman Williams stated that consultant Mark Morse had inquired of the finalists if it was alright to release their names, and they did not have a problem with that. With that, Mr. Wilson acquiesced to Selectman Rozanski. Selectman Rozanski stated, with the help of the MMA Consulting Group, the three finalists in alphabetical order were Greg Balukonis, Ed Gil de Rubio and Michael Guzinski. Selectman Williams confirmed this was the will of the committee, and that the Board had asked for not less than three names. Selectman Rozanski inquired further of Selectman Williams' contact with Mr. Morse, wherein Mr. Morse advised the next step should be that the applicants come to Medway and meet department heads, and then meet with the Board. Mr. Wilson noted the finalists were local candidates and he felt good about that. Selectman Rozanski agreed that MMA Consulting did the initial background checks and gave to the committee the names of those who met the criteria.

Mr. Mosher asked if it was the Board's desire to do a background search? Selectman Williams agreed and to get the cost involved.

- Jim Hoodlet, vice-chairman of the Municipal Building Committee, came to meet with the Board to ask for their vote on two motions for eminent domain taking relative to the easement and three-acre parcel for the new high school.

Mr. Hoodlet believed this was the last of the items he would have to be coming back to the Board for. The application for submittal to the SBAA was almost complete and in advance of the June 1<sup>st</sup> deadline, which was a credit to The Design Partnership of Cambridge and the people of Medway.

Selectman Dziczek moved the following motion:

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to take by eminent domain, a permanent 40 foot wide utility and access easement on and over land owned by Robert A. Briggs extending from Adams Street, a distance of 500.79 feet to land owned by the Town of Medway, as shown on a plan entitled "Easement Plan of Land in Medway, Massachusetts Prepared by Vanasse, Hangen, Brustlin, Inc., Dated April 13, 2001" and to pay the sum of \$25,000.00 to Robert A. Briggs; Selectman Musmanno seconded.

Selectman Rozanski asked if there was an agreement for the \$25,000.00, and if so, why were they doing an eminent domain taking? Mr. Mosher explained there is not a signed agreement, but on-going negotiations by Town Counsel with Mr. Briggs, and he believed this sum, as the minimum, is the sum that will be agreed to, and to move this forward, the vote of the Board was needed. All aye on the motion. The vote: 4-0-0; motion carries.

Selectman Dziczek then moved on the following motion:

to take by eminent domain, a three (3) acre parcel of land presently owned by Robert A. Briggs and being shown as Lot A on a plan entitled "Plan of land in Medway, Massachusetts", Prepared by Vanasse, Hangen, Brustlin, Inc., Date: April 13, 2001, for high school construction purposes and to pay the sum of \$100,000.00 to Robert A. Briggs; Selectman Williams seconded.

Selectman Rozanski believed there were three lots valued at \$50,000 per lot for a total of \$150,000? Mr. Mosher explained there were two building lots at \$50,000 each for a total of \$100,000 which more closely represents that appraisal. Selectman Rozanski was still confused as to why an eminent domain taking was necessary if there were on-going negotiations? Selectman Dziczek understood Town Counsel has indicated this was the cleanest way to get a clear title even when it is a friendly taking.

Mr. Hoodlet added that, with the deadline for submittal to the SBAA, they have to include ownership or the application will not be complete

On the motion, Selectmen Dziczek and Williams - aye; Selectman Rozanski - opposed; Selectman Musmanno - abstained. The vote: 2-1-1; motion does not carry. Mr. Mosher stated a vote in the affirmative of the majority of the Board was needed, and this was not a majority.

Selectman Dziczek stated that Mr. Briggs knew he would be receiving fair market value, and the Board members were aware this next step was necessary. Selectman Musmanno admitted he was not familiar with the relevancy of this motion and asked if there was a plan he could look over? Mr. Mosher retrieved the plan out of his office and then indicated to Selectman Musmanno the area in question. Mr. Hoodlet provided the

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background on the parcel. He noted Mr. Briggs agreed that, if the Town did not take the sixteen acres on the northern part of the property and it was found to be feasible to have the access road go through the O'Toole property, then he would be willing to forego the three acres on the eastern perimeter of the site for the high school if necessary.

A vote to reconsider the same motion was made; seconded; all aye. The vote: 4-0-0. The vote on the same motion: Selectmen Dziczek, Musmanno, Williams – aye; Selectman Rozanski – opposed. The vote: 3-1-0; motion carries.

Mr. Hoodlet explained the committee would be providing regular updates in the future as requested, but asked in what form and in what frequency? Mr. Mosher suggested twice a month. Mr. Hoodlet indicated they hoped the design development phase would be completed by July 15<sup>th</sup>.

Mr. Mosher further stated, he was informed by Town Counsel that he needs a confirmatory order of taking for parcels that was previously voted approval on by the Board. This was strictly for housekeeping purposes, but required a motion of the Board to approve the confirmatory order.

Selectman Rozanski moved that the Board sign the Confirmatory Order for Taking for Municipal Purposes as presented to confirm title of awards made on the following parcels in an Order for Taking dated December 18, 2000:

Owner: J. Russell Whalen; Area: 20.937 acres; Award: \$600,000.  
Owner: Robert J. Dunton; Area: 4.20 acres; Award: \$200,000.  
Owner: Robert A. Briggs; Area: 15.0 acres; Award: \$450,000.  
Owner: Philip J. Boczanowski and Suzanne L. Boczanowski; Area: 12.765 acres; Award: \$4,000.

Selectman Dziczek seconded; all aye. The vote: Selectmen Dziczek, Musmanno, Williams, Rozanski – aye. The vote: 4-0-0; motion carries.

6. Administrator's report.

- Mr. Mosher stated he had spoken to DPS Director Lee Henry and his department would be redoing about 6300 ft. of Holliston Street with a leveling course this week.
- Mr. Mosher indicated the Treasurer, the Accountant and he would be reviewing the departmental receipt policy again and possibly make some suggestions at a later date.

7. Discussion items.

MINUTES OF THE SELECTMEN'S MEETING  
May 21, 2001

Relative to the Fontanella property, Selectman Rozanski offered the following motion:

that the Board of Selectmen, pursuant to MGL Ch. 61A, Section 14, assign the Town's right of first refusal in the matter of the Fontanella property at the corner of Coffee Street and Ellis Street, currently classified as agricultural, to the non-profit organization known as Shelter Island, with the following minimum conditions:

70% (approximately 18 acres) of the property shall remain as contiguous open space and shall be deeded to an established land trust and such land shall subject to a permanent conservation restriction.

An endowment will be provided by Shelter Island to maintain and manage the Open space for the enjoyment of the entire community.

The remainder of the property may be developed under the rules and regs of the Medway Planning Board, but shall not exceed a density of 50 units.

Roll back taxes which would be lost to the Town of Medway by exercise of the Right of first refusal (difference between \$79,300 and the amount of rollback taxes due and payable by Mr. Fontanella) will be paid to the Town of Medway by Shelter Island.

Selectman Dziczek seconded for discussion. Selectman Rozanski believed this was in keeping the interest of the property valuable as open space. Selectman Dziczek questioned why 50 units when the intent all along was 60 units, and did the 50 make a difference on roll back taxes? Selectman Rozanski did not believe the roll back taxes had anything to do with the number of units. Selectman Dziczek asked if and when this is all negotiated, what if the number of units cannot work? Selectman Rozanski said it was negotiable.

Selectman Williams explained the initial issue was to have a public hearing, which was done, and that only the three members on the Board at the time of the hearing could vote and deliberate. Town Counsel had also ruled a majority constitutes a majority of those able to vote.

Selectman Musmanno stated, for the record, he would go with Town Counsel's ruling but would like to ask for better guidance and clarification for the future, as he was on the Board when the motion was made by Selectman Rozanski. Selectman Rozanski indicated this could be tabled, as did Selectman Williams, but Selectman Musmanno undertood the significant time elements involved and felt the vote should be taken.



MINUTES OF THE SELECTMEN'S MEETING  
May 21, 2001

The motion was placed to the Board for a vote: Selectman Dziczek – aye; Selectman Williams – aye; Selectman Rozanski – aye; Selectman Musmanno – abstained. The vote: 3-0-1; motion carries.

Mr. Mosher explained the next step was assignment of right with conditions, and that will be back to the Board. Mr. Mannis was in attendance and asked Selectman Williams if he could work immediately with the Town Administrator, to which he agreed.

8. Action Items.

- Selectman Dziczek moved to authorize the chairman to sign the letter to EOCD relative to Alder Street/Trotter Drive grant; Selectman Rozanski seconded; all aye.
- The Board members had no objection to Selectman Williams signing the certificate of appointment for Robert Heavey as rep to Tri-County.
- Selectman Dziczek moved to set the date for the special town meeting as Wednesday, June 27<sup>th</sup>; Selectman Musmanno seconded; all aye.
- Selectman Dziczek moved to open the warrant for the special town meeting this evening, and to close the warrant on June 1<sup>st</sup> at 1:00 p.m.; Selectman Rozanski seconded; all aye.
- It was noted that the chairman or designee must be the MBTA representative, and as such the appointee could not be Missy Dziczek.

9. Communications/correspondence/information items.

- Mr. Mosher stated that the chairman of the Planning Board was suggesting a change in the structure of the Board, as with the ARCPUD now in place, it allows their Board to have an associate member. He has requested Town Counsel to provide the proper procedure. Selectman Williams believed it would be helpful to have Town Counsel's comment in writing.
- Selectman Williams acknowledged receipt of a letter from the School Committee with two articles. Selectman Rozanski commented, if it is the same wording, this would require a vote of the Board and would not have to go to town meeting.

10. Future agenda items.

- Selectman Williams said he would like to discuss goals in July. With regard to liaisons, he asked Board members to let him know of any they wished to have. He also felt that, unless a board is under the direct purview of the Town

MINUTES OF THE SELECTMEN'S MEETING  
May 21, 2001

Administrator, they should still continue to liaison. They could discuss this further at a later date, but liaisons to departments may not be needed if they report directly to the Town Administrator, even though Board members could still go to all meetings, etc. Selectman Dziczek suggested this be discussed further with the new Town Administrator as a team. With regard to liaisons, Selectman Rozanski asked for the Norfolk County Advisory Board and so moved; Selectman Dziczek seconded; all aye.

Insofar as appointments were concerned, Selectman Williams noted it was an accommodation of the former Town Administrator to receive a recommendation from the Board on some appointments, even though they were clearly his appointments. He suggested they stay with Article 23 and leave those appointments with the Town Administrator, and not continue the accommodation of Mr. Hartman.

Selectman Rozanski suggested asking those up for re-appointment if they want to continue rather than making it an automatic re-appointment. Mr. Mosher indicated the office could send out a communication if the Board so wished, and it could be accomplished by June 30<sup>th</sup>. With regard to the Finance Committee, he noted appointments were made by the Town Moderator in Dartmouth, and the FinCom is advisory.

Selectmen Dziczek briefly brought up the Police Chief being civil service, and that the State wants to provide alternatives to this in the future. Mr. Mosher referred the Board to the statute in the event they considered the change.

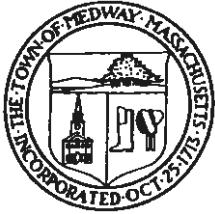
Selectman Williams suggested setting the summer schedule on June 4<sup>th</sup>, although Selectman Rozanski said it was the prerogative of the chairman to set the schedule.

9:20 p.m. – Selectman Dziczek moved the meeting be adjourned; Selectman Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/18/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
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**AGENDA**  
**BOARD OF SELECTMEN**  
**MEDWAY HIGH SCHOOL**  
**MAY 14, 2001**

6:30 p.m. – Open meeting.

- Board reorganization.

6:35 p.m. – Louise Placido, Dunkin Donuts.

Re: common victualler license for new location at 42 Summer Street, and  
extension of approved site plan from June 12, 2000.

1. Sign warrant.
2. Approval of minutes.
  - Regular meeting minutes of March 12, 2001.
  - Special meeting minutes of March 17, 2001.
  - Regular meeting minutes of March 19, 2001.
3. Public comments.
4. Town official updates – none.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
8. Action items.
  - a. Set bond for Treasurer/Collector.
9. Communications/correspondence/informational items.
10. Upcoming Selectmen's meetings.
  - a. Regular meetings on May 21<sup>st</sup>, June 4<sup>th</sup>, 11<sup>th</sup>
11. Executive session (if required).

7:00 p.m. – Adjourn to auditorium for special town meeting, followed by annual town meeting.

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING  
MAY 14, 2001

Present: Selectmen Raphaela Rozanski, John Williams, Joe Dziczek, Mary O'Leary, Joe Musmanno, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

6:30 p.m. – Selectman Rozanski, as vice-chairman, called the meeting to order.

The first order of business was Board reorganization, and Selectman Rozanski asked for nominations for chairman. Selectman O'Leary nominated Selectman Dziczek; there was no second. Selectman Musmanno nominated Selectman Williams; Selectman Rozanski seconded. Hearing no other nominations, Selectman Rozanski closed nominations. All in favor of Selectman Williams as chairman; all aye unanimously.

Selectman Rozanski asked for nominations for vice-chairman. Selectman Dziczek nominated Selectman Rozanski; Selectman Musmanno seconded. Hearing no other nominations, Selectman Rozanski closed nominations. All in favor of Selectman Rozanski as vice-chairman; all aye unanimously.

Selectman Rozanski asked for nominations for clerk. Selectman Dziczek nominated Selectman O'Leary; Selectman Williams seconded. Hearing no other nominations, Selectman Rozanski closed nominations. All in favor of Selectman O'Leary as clerk; all aye unanimously.

With Selectman Williams' blessing, Selectman Rozanski continued on with the meeting.

1. Sign warrant.

Selectman Williams moved to approve and sign warrant #46 in the amount of \$322,655.59; Selectman Dziczek seconded; all aye.

6:40 p.m. – Mr. Mosher introduced Louise Placido of Dunkin Donuts who was meeting with the Board for a common victaller license for their new location at 42 Summer Street, and to request an extension of their approved site plan from June 12, 2000.

Mr. Mosher explained Dunkin Donuts had opened untimely without the common victualler license required by Ch. 140, Section 2. The owner and applicant then shut the premises down. In consultation with Town Counsel, myself and the Building Inspector, a certificate of occupancy was issued to the applicant as the building was in conformance with the building code.

In addition, at the Selectmen's meeting of June 12, 2000, the Board voted to approve a site plan with the revision date of 5/00. In researching this, the common vicuttaller is in order. The issue of the site plan is separate and apart and is a zoning issue.

MINUTES OF THE SELECTMEN'S MEETING  
MAY 14, 2001

Mr. Mosher stated a second vote now will allow Dunkin Donuts to open with a common victualler license; therefore, Selectman Dziczek moved to grant the common victualler license to Dunkin Donuts at 42 Summer Street; Selectman O'Leary seconded; all aye.

Mr. Mosher went on to the second issue. He explained that the Board, in its acceptance of the 5/00 plan, incorporated the memo of May 22<sup>nd</sup> from Lee Henry to the Planning Board, and which, in turn, was incorporated in a letter to the Selectmen from the Planning Board dated June 5<sup>th</sup>. This letter included recommendations and conditions including the preparation of the traffic signal design and reconstruction, approved by the Town, and constructed prior to occupancy. At this time, the applicant requires more time especially in light of the related construction that may be ensuing for the new high school, and receiving Mass. Highway approval could take even longer. Ms. Placido agreed with her engineers, who said it would be foolish to install the signalization, and then possibly have to tear it down again with the reconstruction project, but she would do it if she had to.

Building Inspector, Bob Speroni, who was present, said the applicant has one year from June 12, 2000 to complete the site plan process. If a condition is not amended or modified, or an extension is not granted, the applicant will be in violation of the zoning by-law if they open.

Mr. Mosher believed, if they have to modify the site plan, they would have to hold another hearing, but if they extend the deadline by sixty days, then they could hold another hearing during that time if necessary.

Selectman Dziczek asked if Dunkin Donuts was allowed to open and potential danger is posed, would the applicant shut down? Mr. Mosher indicated this might be a gray area once ~~is~~ the business is up and operating.

Both Mr. Mosher and Mr. Speroni agreed granting the extension allows the applicant to open, and time to work on the signalization issue. Selectman Rozanski suggested granting the extension to comply with the site plan process, and to hold a hearing in sixty days. She, therefore, made the motion to grant relief to the applicant by extending the deadline of June 12, 2000 by sixty days to comply with the site plan conditions; Selectman Dziczek seconded; all aye. Mr. Mosher clarified if the signal is in place, no hearing was necessary.

Ms. Placido hoped to get this resolved by the end of the month.

2. Approval of minutes - held over until next week.
3. Public comments - none.
4. Town official updates - none.

MINUTES OF THE SELECTMEN'S MEETING  
MAY 14, 2001

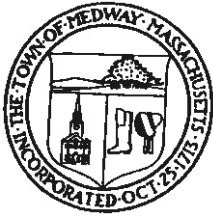
5. Committee reports – none.
6. Administrator's report – none.
7. Discussion items – none.
8. Action items.
- Mr. Mosher requested that the Board, per Ch. 41, section 35 of MGL set the Treasurer/Collector's surety bond, and recommended the amount be set at \$500,000. Selectman Dziczek so moved the bond be set at \$500,000; Selectman Williams seconded; all aye.
9. Communications/correspondence/information items.
- Carla Cataldo, vice-chairman of the Finance Committee, gave a quick rationale on the budget book. She noted that the salary and expense items were individually listed, but they would be looking for the one line appropriation. This gives departmental managers the opportunity to move their dollars around, but they cannot add positions, and it is not taking away any authority from the Selectmen since they are to be aware of any transfers.
- Selectman Rozanski felt it was a good presentation, but too late as it was difficult to get a consensus from the Board now, and was not done in protocol manner. Selectman Williams did not agree, but was not 100% against it.
- Mr. Mosher did not feel there was a Town Administrator around who wouldn't jump for a single line approved budget, but was opposed to taking that authority away from the legislative body. He believed there were elected boards who handle the budgets not under the Board of Selectmen.
10. Upcoming Selectmen's meetings – May 21<sup>st</sup>, June 4<sup>th</sup>, June 11<sup>th</sup>.
11. Executive session – none required.

7:00 p.m. – Selectman Dziczek moved the meeting be adjourned to the special town meeting in the auditorium, followed by the annual town meeting at 7:30 p.m.; Selectman Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/18/01  
as amended



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**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**APRIL 30, 2001**

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes – regular meeting of March 12, 2001.

7:05 p.m. – Finance Committee members Carla Cataldo and Dawn Boyan.

- re: snow removal budget article #2 on STM May 14<sup>th</sup>.

3. Public comments.

7:15 p.m. – Diane Kaeli

- re: continuing beautification of Medway's flower barrels.

4. Town official updates – none.

5. Committee reports.

7:30 p.m. – Public Hearing on assigning rights under Section 14 of Chapter 61A.

- re: Fontanella property.

- Ralph Costello of Unique Homes.

- Jedediah Mannis of Shelter Island Fund, Inc.

6. Administrator's report.

7. Discussion items.

a. Correspondence from Dartmouth relating to two issues.

8. Action items.

a. Approve one-day liquor license for St. Joseph Parish.

b. Approve solicitor's permit for KJP Advertising for Papa Gino's.

c. Sign Consolidated Contract for Housing Authority.

d. Approve emergency transfer for Law.

9. Communications/correspondence/informational items.

a. Draft copy of Finance Committee minutes of April 11<sup>th</sup>.

b. Letter from Town of Franklin relative to EMS coverage.  
(Phone call from Pathways Ambulance relative to same received.)

10. Upcoming Selectmen's meetings.

a. Regular meetings on May 7<sup>th</sup>, 14<sup>th</sup> and 21<sup>st</sup>.

11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

CC: AUB

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Selectman Johnson opened the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Selectman Williams moved the Board approve and sign warrant #44 in the amount of \$397,818.44; Selectman Rozanski seconded; all aye.

2. Approval of minutes.

- held over until later on in the meeting.

7:05 p.m. – Finance Committee vice-chairman Carla Cataldo came to meet with the Board concerning an article they had proposed for the Special Town Meeting warrant for May 14<sup>th</sup>.

Ms. Cataldo stated, every year, they have to account for over-expenditure on snow removal on the recap sheet which takes away dollars from the operating budget for the following year, right now around \$300,000. Mr. Mosher indicated they were \$308,000 over at this time, and the Governor has indicated 75% of expenditures would come back to cities and towns. He estimated, roughly, \$150,000. She stated their intent is to transfer the funds from stabilization, with the hopes of the funding being returned to stabilization when the money comes in from FEMA.

Ms. Cataldo also brought up the CIPC article on the Annual Town Meeting warrant of May 14<sup>th</sup>. She stated the FinCom was uncertain at this time as to what recommendations they would make on the capital projects, indicating they might be making some contingent motions. They were concerned about bonding to maximum capacity, always adding to debt and interest.

Ms. Cataldo also reminded everyone of pre-town meeting on May 9<sup>th</sup> at 7:00 p.m. in Sanford Hall. Selectman Johnson agreed suggesting department heads attend.

7:20 p.m. – Diane Kaeli came to meet with the Board concerning furthering to beautify Medway.

Ms. Kaeli stated her committee was continuing the beautification program, with the intent to remove three barrels of flowers from their present locations and moving them to three other locations because of safety. She also said she would like the Board's approval to place plaques on the barrels noting the Girl Scouts' for their maintenance of the flowers.



MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

Selectman Rozanski moved to remove the three existing barrels at locations near the Community Church, island at Holliston St. and Rt. 109, and island at Winthrop St. and Rt. 109 as described by Ms. Kaeli, Selectman Gildea seconded; all aye.

Selectman Rozanski moved to approve the three proposed new locations at the entrances to Choate Park, Oakland Field and Cassidy Field as described by Ms. Kaeli; Selectman Johnson seconded. Selectman Williams then amended the motion to include, with the approval of the Safety Officer as to location; Selectman Rozanski seconded; all aye. On the main motion as amended; all aye.

Selectman Rozanski moved to allow the placement of plaques for businesses and Girl Scouts; Selectman Dziczek seconded; all aye.

3. Public comments – none.

4. Town official updates - none.

Mr. Mosher brought to the Board's attention an emergency transfer request for Law in the amount of \$2,397.82, which Selectman Williams moved to pass on to the FinCom; Selectman Rozanski seconded; all aye.

7:30 p.m. – The public hearing on assigning rights under Section 14 of Chapter 61A for the Fontanella property was convened. Mr. Mosher read that pertinent section from MGL.

Selectman Johnson noted that the Board had approached the Open Space Committee and, they, in turn, had solicited a non-profit organization. Now, it was necessary to have a hearing to assign the Board's rights to that non-profit organization, if they should so choose.

Jedediah Mannis, Executive Director for the Shelter Island Fund was present and spoke first. He stated they were a C-3 organization intent on preserving open space. He reiterated the same basic information he had given the previous week with the Board. He noted that, if converted to another use, taxes for five years are due to the Town. However, the use is not being changed, and is the same as agricultural. He will pay the difference of what the taxes are, and what the seller owes; the Town would not have to pay anything. If the rights are assigned to them, they would preserve no less than 70% of the site and develop no more than 8 acres with 60 residential units with an asking price of \$275,000 for approximately 1200 sq. ft. The impact to the neighborhood would be less than 22 houses with the ARCPUD. No children would be in the proposed development. This meets the master plan goals and expectations, all under the Town's control with the Board of Selectmen's recommendation to make sure the plan is followed. However, time was critical and requires a quick decision.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

At this point, Ralph Costello of Unique Homes asked to be allowed to make a presentation as based on his purchase and sale agreement with Edward Fontanella and his plan to the Town. He stated his plan was to do an ARCPUD, not 23 homes. His plan was to create single-family lots and town houses with a neighborhood-style plan, tree-lined streets, 1500-2500 sq. ft. homes, preserving 16 acres with trails, integrating the entire project with the ARCPUD theme. Open space would be all around with a walking trail and putting green. He believed this would be a good first precedent for the ARCPUD. He felt it would be mostly housing for seniors with the creativity of open space since 18% of Medway's residents are seniors. To do something like this right, you needed land, the ARCPUD and a good developer. He felt he would create value in the neighborhood and it would not detract from the area; it would enhance it. Cost was flexible and could be adjusted, but square footage for town houses would be around 1300-2000 sq. ft. and for houses, from 1700-2300 sq. ft.

Mr. Mannis clarified he was not proposing a specific site plan as there were a number of alternate site plans, with the goal of agreeing to be bound by contract.

Selectman Johnson allowed the audience to speak at this time.

Joe Musmanno – Summer Hill Rd.: inquired of Mr. Costello as to the number of units, the percentage of open space, and assurances of the developer of the ARCPUD. Mr. Costello believed 6 units would work, with 16 acres of open space building on 10 acres, and felt the ARCPUD was best for this site as 23 homes would destroy the beauty of the site, which his firm would be developing, not someone else.

Wendy Rowe – Spruce Rd.: asked regarding assurances of no problems with open space. Mr. Costello stated the Conservation Commission will help decide what can and cannot be done for use, but would keep the space for passive use, keeping at least 350 ft. away from Ellis Street.

Don Springer – Planning Board: stated the Planning Board had worked hard on developing the ARCPUD. When Mr. Costello was approached by us to do an ARCPUD, he noted he did not know it had passed, and expressed the desire to definitely do it. As a developer with a good reputation for the Town, he would like to see Mr. Costello get the first shot at it.

Mary Casinelli – Goldenrod Rd.: Mr. Costello built her home and others on her street, and commented on his professional work. She also believed it was important to keep neighborhood values up, but why not use more open space? He felt the entire site would probably be used by seniors, and the attached houses would look like the old days, forming a sense of community.

Glenn Trindade – Open Space Committee: Mr. Trindade stated they had recruited Mr. Mannis. He felt that Shelter Island's goal is for open space and structured

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

within the ARCPUD laws, with the firm having a good track record. He agreed they had two fine developers here, but requested the Board ensure that everything in the plan gets accomplished.

Selectman Johnson added that people can go to Fiske Pond in Holliston to observe Mr. Mannis' work, and to Medfield to see Mr. Costello's work. With regard to the trails and the open space, both developers stated the entire Town could use them, but people over 55 would most apt to use them. With regard to Mr. Costello's use of the houses as contiguous, he stated they would be contiguous all around, but private.

Joyce Ross of Goldenrod Road spoke of the excellent quality of workmanship by Mr. Costello, but also did like the presentation by Mr. Mannis as well. She asked about traffic, and how it would impact existing houses in the neighborhood? Selectman Johnson felt there would be less traffic with the seniors.

David Hoag asked about some of the land being deeded to the Conservation Commission, but Selectman Johnson said that was not decided yet. Mr. Hoag indicated the Open Space Committee would like the land to remain passive.

Cherie Coughlin of 3 Cardinal Lane also indicated her appreciation for the work Mr. Costello has done in Medway.

Mike Narducci felt the Town should have received bids from other non-profit organizations, and believed in his development of Deerview Meadows, there would have been children. Selectman Johnson believed there were two different laws involved, the other involved a comprehensive permit. Mr. Narducci also wondered why those now promoting this project, fought him on his project? What was the difference?

Mr. Costello was asked the price range of the houses? Mr. Costello stated he did not have the accurate figures yet, but for under 2,000 sq. ft., they would be around \$275,000 to \$350,000; and for 2,000 sq. ft. and over, from \$300,000 to \$350,000. He brought up his development called The Meadows which he built three years ago with homes selling at \$350,000; some have now sold for \$450,000, and the last two sold for over \$800,000 indicating value continuously going up.

Mr. Mosher stated the Board needs to consider whether to assign the right of first refusal to Shelter Island, and if not, how the Town can best be protected with Mr. Costello's presentation, and with the Planning Board under ARCPUD. He stated there is a time frame to follow, and how would the timeframe agree with the Planning Board, and be in the spirit of what has been presented tonight, and what Open Space has proposed realizing the Town wants to protect Open Space. Mr. Mosher also agreed there needs to be clear ownership of the open space, and the Board needs to weigh both options.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

Mr. Costello stated he would be happy to sign an agreement to coincide with his plan. Mr. Mannis indicated their two organizations were not the same. They were non-profit and were bound by the assignment itself, and is as firm as the Board can make it. Mr. Costello believed the difference between them was that they have an agreement to purchase Mr. Fontanella's land. He felt that because of the structural issue and the time line, Mr. Mannis has to go through the process, and he should also go through the ARCPUD and public hearing process. Mr. Mosher requested a statement of financial condition of Shelter Island Fund, Inc. Mr. Mannis further stated he was not ruling out any builder, including Mr. Costello, and would render a statement to that effect.

Planning Board member Dan Hooper asked if either developer had done planned units in the past, particularly an ARCPUD. Mr. Mannis said he had never done an over 55 development, but has built 13 units to 480 units.

Planning Board Chairman Diane Borgatti asked about the hearing this evening, and what happens now. She indicated there are options in the rules and regulations of ARCPUD to allow flexibility with the Planning Board to allow sufficient control.

Selectman Rozanski suggested continuing the hearing, or if the Board decides to close the hearing, to keep the record open. Mr. Mosher noted the Board can close the hearing and hold open the record.

Selectman Dziczek stated that, at the last meeting, Mr. Mannis indicated he would preserve 70% of the land as open space and 60 units, with the number being absolute, and he expected the Board would hold him to it.

Selectman Johnson suggested closing the hearing and holding the record open for one week to receive input, by which people could appear to the Board or write to the Board.

Selectman Rozanski moved to close the hearing and to hold the record open for seven days for written comments to the Board from other boards; Selectman Gildea seconded. Selectman Dziczek suggested both developers could provide further information to the Board in writing if they so desired.

Mr. Costello had one last comment. He said Mr. Mannis had stated they will be bound, and a private developer would not. To be bound means putting a restriction on the deed, which he was willing to do.

All aye on Selectman Rozanski's motion.

The Board took a short break at this time.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

5. Committee reports – none.
6. Administrator's report.
  - Mr. Mosher further reported on the old Fire Chief's car at the highway barn. He stated the engine was put in a police car and assured the Board it was properly used.
  - Mr. Mosher stated he needed a vote from the Board on the alternate proposal by Rizzo for the work they would be doing for the Municipal Building Committee on Summer Street for traffic and access assessment in developing an access plan for the new high school. He indicated there was a substantial cost savings to the Town involved. Mr. Mosher indicated this was being given with the recommendation of two of the building committee members. Selectman Rozanski moved to approve the contract with Rizzo Associates for \$3,500 as recommended by the Town Administrator; Selectman Dziczek seconded; all aye.
  - Mr. Mosher indicated there was an incident at the Golden Jade which he will be further discussing with the Police Chief, and possibly present documentation for a public hearing.
7. Discussion items.
  - A letter from the Town of Dartmouth relative to state reimbursement and improvement of the municipal sewer system was acknowledged.
8. Action items.
  - Selectman Williams moved to grant a one-day all alcohol liquor license to St. Joseph's Parish for May 19<sup>th</sup> from 6:00 p.m. to 1:00 a.m. for the Medway Alumni Banquet; Selectman Rozanski seconded; all aye.
  - Selectman Williams moved to grant a solicitor's permit to KJP Advertising for Papa Gino's Ed Perry from 12 Noon to 8:00 p.m. from April 24, 2001 to April 24, 2002; Selectman Dziczek seconded with assurances that there have been no problems with the company; all aye.
  - Selectman Rozanski moved to authorize the Chairman to sign the Consolidated Contract for the Housing Authority; Selectman Williams seconded; all aye.
  - The emergency transfer request for law was noted by the Board.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

9. Communications/correspondence/informational items.

- Selectman Rozanski noted receipt of the draft FinCom minutes of April 11<sup>th</sup> she had requested. She stated there was some discussion during the meeting of approving the bottom line at town meeting rather than individual lines for salaries and expenses. Selectman Rozanski stated Carla Cataldo had written to Town Counsel for an opinion, and he had agreed it could be done. The Selectmen would possibly have provided their thoughts on this, but the FinCom book has gone to press. She thought that what was discussed and what was printed in the minutes may be different in this regard.

Selectman Dziczek said that Selectman Rozanski was present at this FinCom meeting, and heard the FinCom members indicate that departments can better utilize their budgets if they could move the funds around for flexibility, but the Selectmen should know if transfers have to be done. Selectman Rozanski referred to the same minutes again, and said the motion and vote was there for the bottom line.

Selectman Williams thought it was a bad idea to vote on the bottom line if the intent was to try and make it easier, when in fact, it might make it messier. FinCom has no authority whatsoever in this. Selectman Johnson said the Board cannot decide this evening and they should have discussed this earlier. He asked Mr. Mosher to keep the Board informed.

Mr. Mosher believed to program the budget takes the opportunity away from the legislative body; however, without a by-law stating departments cannot expend from one line to another, he did not believe the Selectmen had control over the budget if voted. Mr. Mosher stated the School Committee can move their funding around by statutory authority. If town meeting wants to explore the program budget, it should be discussed, and it could be tried on a probationary basis. He felt this was the way to go until town meeting wanted to change it.

- With regard to the letter from Franklin relative to EMS coverage, Selectman Johnson did not feel the Board had arrived at a solution yet, but they should have a recommendation for town meeting, and the Board should become familiar with the enterprise fund. Selectman Dziczek suggested that Mr. Nutting be advised that the subject is under discussion, and the article for the enterprise fund would be going forward at town meeting.
- Selectman Johnson brought up a letter received dated April 18<sup>th</sup> from DEP relative to Medway's aquifer by-law and floor drain regulations,

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 30, 2001

and asked that it be referred to the Water/Sewer Commissioners for their comments.

10. Upcoming Selectmen's meetings.

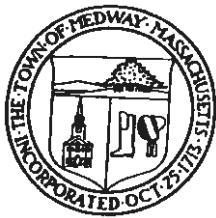
Selectmen Dziczek suggested canceling the Selectmen's meeting of May 7<sup>th</sup>, and the Board agreed.

9:50 p.m. – Selectman Gildea moved the meeting be adjourned; Selectman Johnson seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/18/01  
95 am 2000



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**APRIL 23, 2001**

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes – none.
3. Public comments.

7:15 p.m. – John Cicciu, Emergency Management Director.

- re: vehicle.
- 4. Town official updates – none.
- 5. Committee reports.

7:30 p.m. – Glenn Trindade and David Hoag – Open Space Committee.

- re: Fontanella property.
- 6. Administrator's report.
- 7. Discussion items.
  - a. Joint booth at Medway Pride Day with Municipal Building Committee and School Committee?
- 8. Action items.
  - a. Issue one-day liquor license to St. Joseph Parish.
  - b. Open special town meeting warrant for May 14<sup>th</sup>.
  - c. Approve articles for insertion in special town meeting warrant for May 14<sup>th</sup>.
  - d. Close special town meeting warrant for May 14<sup>th</sup>.
  - e. Acknowledge receipt of site plan for Burger King.
  - f. Sign Agreement for Animal Control Services.
- 9. Communications/correspondence/informational items.
  - a. Community Preservation/Buildout Analysis presentation rescheduled.
  - b. Reclassification of Jean Masnik.
  - c. Cherry sheet analysis.
  - d. Events EMS proposal submittal.
- 10. Upcoming Selectmen's meetings.
  - a. Regular meeting on April 30<sup>th</sup>.
  - b. Regular meetings on May 7<sup>th</sup>, 14<sup>th</sup> and 21<sup>st</sup>.
- 11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*cc: AUB  
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:00 p.m. – Selectman Johnson opened the meeting in Sanford Hall of Town Hall. He noted that Selectman Gildea was having eye surgery the next day and would appreciate well wishes from his friends and the general public.

1. Approve and sign warrant.

Selectman Williams moved the Board approve and sign warrant #43 in the amount of \$859,472.77; Selectman Rozanski seconded. There was some question on the Town Accountant having copies of contracts with VHB, but Mr. Mosher stated he was resolving that and they were agreements entered by Mr. Hartman with VHB. Selectman Johnson believed those agreements should have been signed by the Board. Mr. Mosher explained the payments are against the articles approved at town meeting with the Municipal Building Committee signing off on each payment. Mr. Mosher did ask the Treasurer/Collector to hold the check for now. All aye on the warrant; however, Selectman Johnson moved that the original motion be amended to reflect that the checks for the new school building be held out; Selectman Dziczek seconded; all aye.

2. Approval of minutes – none.

3. Public comments.

Wendy Rowe came forward requesting additional volunteers for Pride Day to be held on May 19<sup>th</sup>.

7:15 p.m. – Emergency Management Director John Cicciu came to meet with the Board concerning a vehicle he wanted to get for the Town. He indicated he had spoken to Selectman Johnson about getting a surplus vehicle from another Town donated to Medway at no charge for storage of an emergency generator. He also stated that the modular ambulance was also going to go, and he would like to have that as well as a vehicle for the transportation of equipment and people. Mr. Cicciu stated his budget will not go far, but he has resources.

Selectman Rozanski asked where the vehicle would be garaged? Mr. Cicciu indicated he had not worked that out yet, but would like it indoors; possibly someone would donate the space. She also inquired about insurance, and he believed it would be borne by the Town.

Selectman Williams asked if he had approached Police and Fire? Mr. Cicciu stated they had generators, as does Highway, but they will have been committed in case of an

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

emergency. With regard to hazardous materials, his group does not have the capability of handling it, and would have to rely upon mutual aid. Selectman Williams felt the cost would be exorbitant, but Mr. Cicciu said he would pursue grants and donations.

Relative to voting this evening, Selectman Dziczek suggested having the Town mechanic look over the vehicle to ensure it was road-worthy. Mr. Cicciu again stated he would like approval to get this vehicle and then have it sent to the Tri-County body shop for them to look over. Selectman Johnson, however, felt the Town's diagnostic equipment would be able to analyze the vehicle. At this point, he suggested that the Board postpone making any decision and to think it over, with Selectman Rozanski recommending Mr. Cicciu come up with potential costs.

730 p.m. – Glenn Trindade and David Hoag of the Open Space Committee came to meet with the Board concerning the Fontanella property. They introduced at this time, Jedidiah Mannis of the Shelter Island Fund, Inc. and George Fiske of Upper Charles Land Trust Inc.

Selectman Johnson explained that the Board of Selectmen did not feel the Town had sufficient funds available to buy the land under 61A, but they did have the right with Open Space to look at a non-profit organization who might be interested in preservation and conservation.

Mr. Mannis suggested discussing the issue in executive session. Mr. Mosher stated, in speaking with Town Counsel, that this should be done in open session.

Mr. Mannis, the Executive Director of Shelter Island Fund, stated that the non-profit organization is not owned by anyone; there is a board of directors. He indicated the plan was to develop a small portion of the property to be profitable, and leave the rest as open space. He noted that his development of Fiske Pond in Holliston of 110 acres is similar to this project with houses clustered and the remaining land left as open space. He explained to the Board that they could assign their right to a non-profit organization on condition that one-half be open for an ARCPUD configuration. This could be comprised of 60 residential units for people 55 years of age and older on 8 acres leaving the remaining 18 acres as open space. This arrangement would in no way affect the seller of the land regardless of how the sale is handled. Mr. Mannis stated one concept is to place the houses around the perimeter of the property, or they could be placed in one corner of the property, leaving the rest of the land as open space, possibly allowing a connection with the Lally land for down-the-road utilization. With the houses being placed around the perimeter would preserve 70% as open space compared to less with the ARCPUD. He stated he would be meeting with the Planning Board the next evening, but was concerned with the timeline, as one-half of the 120 days had already expired. He hoped, by next week, to have a more concrete proposal. He did indicate that the public and abutters will be involved and the plan is fluid and flexible now. Mr. Mannis further explained that, built into the terms and conditions, will be that the land will be owned by Upper Charles Land Trust subject to conservation restrictions but will be in open space for perpetuity.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

David Kaeli, who was in attendance, felt this was a great idea and in line with the master plan concept.

Selectman Rozanski inquired about a buffer zone, and Mr. Mannis stated it was a requirement of the by-law. She also noted this was not a comprehensive permit, but with EO418, it may count.

Mr. Mosher stated the Board could not proceed until after a public hearing, per Chapter 39, Section 23B.

Jim Brodeur asked for clarification on the ownership of the Fontanella property. Selectman Johnson stated that the Court confirms Edward Fontanella owns the property, and Attorney DeCapua represents Mr. Fontanella.

Joseph Musmanno asked what assurances does the Town receive, i.e. that the property would not be sold to another non-profit organization? Mr. Musmanno continued that he was not familiar with the first refusal right, but he was concerned that the Town assigns the right, and then something happens after the 120 days, i.e. the non-profit organization fails or the land can't be developed under the plan submitted.

Mr. Mannis believed that the Town, by assigning its right, is saying that they cannot afford to buy the property. He confirmed that the open space would be conveyed right away, that a special permit under ARCPUD would be issued, and only Planning Board could change that with a site plan indicating the maximum number of units.

The discussion was closed at this point indicating a public hearing would be scheduled, hopefully for the following Monday.

4. Town official updates – none.
5. Committee reports.
  - Selectman Dziczek stated that the Finance Committee met and finalized their omnibus budget, and were recommending a snow removal article and boiler and roof repairs article for all the schools. Mr. Mosher added that the Municipal Building Committee and the Capital Improvement Program Committee were meeting this evening and these articles would be on their agenda.
  - Selectman Williams reminded residents of the election on May 7<sup>th</sup> and the ballot questions.
  - Selectman Rozanski noted her upcoming attendance at the executive board meeting of the MMA.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

6. Administrator's report.

Mr. Mosher brought up the letter sent by the Water/Sewer Commissioners concerning the relinquishing of two of their vehicles. With this in mind, he has requested a report from DPS Director Lee Henry on all surplus equipment at the highway garage. He will then put together a proposal on all equipment to determine if it should be auctioned, scrapped, etc. Back to the vehicles, Selectman Dziczek noted an old fire department vehicle that was an eyesore and from which parts had been taken. Selectman Johnson also brought up two trucks that were being used for salvage and then towed away. He stated Mr. Hartman had checked this out, but did not know if the individual involved received a reprimand. This was not known.

- With regard to a Class II license issued to Michael Doyle, Mr. Mosher stated this had been investigated, and they did find that he did have vehicles stored at another location. He has spoken to him and he is cooperating fully with getting them removed from that location. Mr. Mosher will also speak with the Inspector of Buildings to see if there are any zoning violations.
- Selectman Williams asked who was responding to the complaint letter from Rikki Saksik and Dana Blunt concerning the alleged treatment by the DPS Director. Mr. Mosher said he could respond on the treatment, but has already spoken to the Director. He was not sure about a recommendation on the mailboxes or a policy without some guidance.

7. Discussion items.

- a. The subject of a booth at Medway Pride Day was brought up. Selectman Rozanski agreed it was a good idea to have a joint municipal booth and moved to do so; Selectman Williams seconded; all aye.

8. Action items.

- a. Selectman Rozanski moved the approval of a one-day all alcohol license for St. Joseph Parish for April 29<sup>th</sup> from 5-10 p.m.; Selectman Dziczek seconded; all aye.
- b. Selectman Williams moved the Board open the special town meeting warrant for the special to be held on May 14<sup>th</sup>; Selectman Rozanski seconded; all aye.
- c. Selectman Rozanski moved that the first article relative to the easement be placed on the warrant as read; Selectman

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

Williams seconded. Jim Brodeur, who was in attendance, believed the word "emergency" should be included in the article, with Selectman Johnson noting only three parties should have keys to this: the Police, school and Mr. Briggs. Selectmen Rozanski so moved adding the word "emergency"; Selectman Williams seconded; all aye. Selectman Rozanski asked about a source of funding, with Mr. Mosher responding that it might be discussed in executive session per Town Counsel.

Mr. Mosher went on to the next article from the Finance Committee requesting to transfer funds from stabilization for the deficit on snow removal, and then when the funds are received from FEMA, at a subsequent town meeting, it would be transferred back into stabilization, which is now in excess of \$500,000.

Selectman Johnson corrected that the decision to put the funds back into stabilization is a town meeting decision. Wendy Rowe, who was in attendance, knew from attending Finance Committee meetings that the FinCom's intent for doing this is to prevent \$300,000 from being cut out of the budget. Selectman Johnson did not feel this transfer was appropriate since the stabilization fund was for emergencies, and this was not an emergency. Mr. Mosher believed stabilization can be used for any purpose. Selectman Johnson also stated that snow removal has traditionally appeared on the recap sheet.

Selectman Rozanski also thought the Town might only receive \$200,000, and then we would be in deficit for \$100,000. Mr. Mosher stated it was premature to give any figures. Selectman Dziczek reminded the Board that it was the FinCom's position to propose a balanced budget to the Town. Mr. Mosher understood the Board's concern, but felt it was prudent to put the article on the warrant, and subsequently meet with FinCom.

Selectman Williams moved that this article dealing with snow removal be placed on the warrant; Selectman Dziczek seconded; all aye.

Selectman Williams read the next article dealing with a Library transfer of excess salary to expense and so moved that this article be placed on the warrant; Selectman Rozanski seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

- d. Selectman Rozanski moved to close the special town meeting warrant; Selectman Williams seconded; all aye.
  - e. Mr. Mosher indicated that Robin St. Pere had resigned from the Municipal Building Committee, and that Jeff Yost, who was present, had stepped over willing to fill her position on the committee. Mr. Brodeur indicated that the Municipal Building Committee unanimously endorsed Mr. Yost to serve on the committee as he had been an active participant at their meetings. Selectman Williams moved that the Board appoint Jeff Yost through June 30, 2002 to the Municipal Building Committee; Selectman Rozanski seconded; all aye.
  - f. A site plan for Burger King was submitted for the existing location on Main Street and Selectman Rozanski moved to acknowledge its receipt; Selectman Dziczek seconded; all aye.
  - g. Selectman Dziczek moved to approve signing the agreement for the Animal Control Officer between the Towns of Millis and Medway; Selectman Rozanski seconded. Selectman Williams noted this was a continuation of the original agreement signed in June of 1998. Selectman Rozanski inquired about a financial report that should be submitted after the end of the fiscal year; this will be researched. Selectman Williams moved, at this point, that the signing of the agreement be postponed until after Millis signed; Selectman Dziczek seconded; all aye.
9. Communications/correspondence/information items.
- a. The Board acknowledged the rescheduling of the community preservation and buildout analysis report.
  - b. The reclassification of Jean Masnik was brought to the Board's attention, but Mr. Mosher explained that, under 6.4, he understood this was to be handled by the Town Administrator as the Personnel Director and would be reviewing it. Selectman Williams felt that 6.5 of the same personnel policies indicate that no reclassification can be done without the recommendation of the Personnel Director and approved by the Board of Selectmen. Selectman Johnson indicated, without prejudice, this should be left with Mr. Mosher for now.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 23, 2001

- c. The analysis of the cherry sheet by the Town Accountant was acknowledged showing a net increase of \$384,520.
- d. A proposal submitted by EMS Events was acknowledged. Selectman Johnson suggested this be reviewed along with the previous report submitted by the EMS Study Committee.

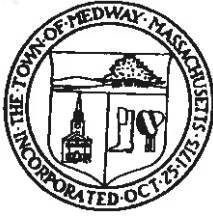
Mr. Mosher stated that, from his experience in Dartmouth, they have had a private contracting service since 1975, and with the same contractor since 1980, costing only \$150,000 net to the town. Selectman Johnson again asked the Board to become familiar with the options, as there was a citizens petition on the annual town meeting warrant calling for an enterprise fund. Mr. Mosher explained if the Town accepts the particular section indicated in the warrant article, then the enterprise fund would be set up. He did not believe the Finance Committee had taken a position on this as yet.

- 10. The upcoming Selectmen's meetings were noted.
- 11. 9:30 p.m. - Mr. Mosher requested an executive session for reason #6, "to consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation". Selectman Rozanski moved that the Board adjourn to executive session for reason #6 as stated by Mr. Mosher, not to return to public session; Selectman Dziczek seconded; all aye. The vote: Selectman Dziczek - yes; Selectman Williams - yes; Selectman Rozanski - yes; Selectman Johnson - yes.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/4/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**ROOM 111-MEDWAY HIGH SCHOOL**  
**APRIL 2, 2001**

6:30 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes – none.
3. Public comments.
4. Town official updates – none.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
8. Action items.
  - a. Sign annual town meeting warrant.
  - b. Vote to join Charles River Consortium (if necessary).
9. Communications/correspondence/informational items.
  - a. Schedule joint discussion with Millis re: sewer capacity.
10. Upcoming Selectmen's meetings.
  - a. Regular meetings on April 9<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*Ci: AUB*  
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 2, 2001

Present: Selectmen Harry Johnson, John Williams, Joe Dziczek, Richard Gildea, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

6:35 p.m. -- Selectman Johnson called the meeting in Room 111 of Medway High School.

1. Sign warrant.
  - Selectman Williams moved the Board approve and sign warrant #40 in the amount of \$380,076.43; Selectman Dziczek seconded; all aye. Mr. Mosher clarified it was correct for the Board to approve as well as sign a warrant, and if necessary, the Town Clerk would be able to sign a warrant.
2. Approval of minutes -- none.
3. Public comments -- none.
4. Town official updates -- none.
5. Committee reports.
  - Selectman Johnson believed the names of election officers needed to be submitted, and that a street list needed to be prepared. Mr. Mosher stated they were done by the Town Clerk.
  - Selectman Johnson noted #9 on the agenda (the scheduling of a joint discussion with Millis relating to sewer capacity), and suggested the Board members meet with the Water/Sewer Commissions, CRPCD, and the Medway reps to CRPCD prior to meeting with Millis, especially in light of the fact that Franklin was having a hard time with infiltration. Out of courtesy, he also indicated the Franklin Commissioners could be invited. It was agreed an invitation would be extended for April 9<sup>th</sup> at 7:30 p.m.
6. Administrator's report.
  - Mr. Mosher informed the Board that a decision needed to be rendered by them by Friday, April 13<sup>th</sup> on the grievance, and the date of their decision is the date of their vote. The Board agreed to meet earlier on April 9<sup>th</sup> at 5:30 p.m. on this issue. Selectman Williams requested copies of the letters written on behalf of the applicant be provided to the Board.
  - The Board acknowledged receipt of the latest overexpenditure on snow removal.
  - Mr. Mosher explained there was \$18,000 remaining in the audit account, and the School Department would be asking for those funds during the special.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 2, 2001

Selectman Johnson did not approve of the funds being reallocated without asking the Board.

Action items.

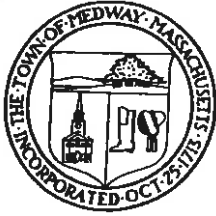
- (a) Selectman Rozanski moved the annual town meeting warrant be signed; Selectman Williams seconded; all aye.
- (b) Rather than the Board voting on the Charles River Consortium, Selectman Johnson suggested the Consortium be notified that the Board agrees that the Consortium has the participation of Medway in a household hazardous collection and to meet and coordinate the funding and site through the Board of Health.

7:00 p.m. – Selectmen Dziczek moved the meeting be adjourned to the auditorium for the special town meeting; Selectman Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/4/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**MARCH 26, 2001**

5:30 p.m. – Grievance Hearing.

7:00 p.m. – Open meeting.

- Introduction of William Mosher, Interim Town Administrator.

1. Sign warrant.

2. Approval of minutes.

- a. Joint meeting minutes of February 10, 2001.
- b. Regular meeting minutes of February 26, 2001.
- c. Executive session minutes of February 26, 2001.

3. Public comments.

4. Town official updates.

7:15 p.m. - Kurt Johnson, Town Accountant.

7:45 p.m. - Board of Health.

8:00 p.m. - Fire Chief Wayne Vinton

8:15 p.m.- Municipal Building Committee.

5. Committee reports.

6. Administrator's report.

7. Discussion items.

8. Action items.

- a. Open annual town meeting warrant, for insertion of two additional articles.
- b. Close annual town meeting warrant.
- c. Appoint Leanne Reardon to Medway Pride Day Committee.
- d. Sign annual town meeting warrant.

cc: ALB, JER

Selectmen's Meeting  
March 26, 2001  
Page 2.

9. Communications/correspondence/informational items.
  - a. Executive Office of Environmental Affairs' John Clarkeson letter on Community Preservation.
10. Upcoming Selectmen's meetings.
  - a. Regular meeting on April 2<sup>nd</sup> at 6:30 p.m. in Room 111 of Medway High School, followed by Special Town Meeting at 7:00 p.m. in auditorium.
  - b. Regular meetings on April 9<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 26, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Interim Town Administrator William Mosher, Administrative Services Assistant M. J. Fredette.

5:40 p.m. – Selectman Johnson called the meeting in Sanford Hall of Town Hall.

Selectman Rozanski moved the meeting adjourn to executive session for reason #3, to conduct collective bargaining sessions, to return to open session; Selectman Dziczek seconded. Selectman Williams questioned if the reason for executive session was for reason #2, but Mr. Mosher clarified it was #3. The vote: Selectmen Dziczek, Selectman Rozanski, Selectman Gildea, Selectman Johnson – aye; Selectman Williams – nay; the motion carries 4-1-0.

8:10 p.m. – Selectman Johnson reconvened the meeting. It is noted for the record that Selectmen Rozanski and Gildea are not in attendance at this time.

- Selectman Johnson introduced the new Town Accountant Kurtis Johnson, and hoped that the next audit would have his office agreeing with the Treasurer's Office.

Mr. Johnson stated cash receipts were done for November through January, and all posted to the general ledger through December 31<sup>st</sup>; he is trying to reconcile cash with the Treasurer; he has not gotten to the general ledger balance yet, but should have cash balanced in the next 2-3 days. He noted it was a learning system and he was doing OK. Kurtis believed they will be in line with the audit, but has to find the audit trail. He also noted the Treasurer's position would change in May, and has spoken to Mrs. Sanford about turning in cash receipts weekly to that office. He hoped to balance on a monthly basis in the future with that office.

Selectman Johnson asked if Kurtis hoped to turn the software over to DNC by July 1<sup>st</sup>? Kurtis stated it had been budgeted and he planned to. Mr. Mosher said he had met with Kurtis on some of the Board's concerns and the audit report, and will continue to meet with him to set up a timetable.

8:20 p.m. – At this time, Fire Chief Wayne Vinton was introduced. First of all, he demonstrated to the Board and those present the new fire equipment apparatus which included a hand-held thermal imager with transmitter and receiver system which was funded through a grant.

Chief Vinton also introduced firefighter Kevin Anderson who acknowledged a fundraiser that had been held for the purchase of SCBA masks for each member of the Department.

At this time, Selectman Johnson brought up the many achievements and accomplishments of Lt. Stephen Reding, and announced his promotion to Honorary Administrative Assistant Fire Chief and presented him with the traditional white hat and

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 26, 2001

certificate. His brother, Bob, read a letter from his brother, Steve, thanking the Town and his honor of being a Medway firefighter. A standing round of applause was given to Asst. Fire Chief Reding.

1. Selectman Williams moved the Board approve and sign warrant #39 in the amount of \$1,226,506; Selectman Dziczek seconded; all aye. A payment for the O'Toole property was noted as being included.
2. Selectman Williams moved to accept the joint meeting minutes of the Sithe Negotiating Committee and the Selectmen held on February 10<sup>th</sup>; Selectman Dziczek seconded; al aye.

Selectman Williams moved to approve the regular meeting minutes of February 26<sup>th</sup>; Selectman Dziczek seconded; all aye.

Selectman Williams moved to approve and release the executive session minutes of February 26<sup>th</sup>; Selectman Dziczek seconded; all aye.

3. Public comments.

There were none.

4. Town official updates.

Kurtis Johnson had already met with the Board.

8:35 p.m. – Mike Heavey, Chairman of the Board of Health came to meet with the Selectmen, accompanied by Board member Jeff Comeau and Health Agent Bill Fisher.

The Board had asked for an update of recycling in the Town of Medway since this was the first year of the "pay as you throw" program. Mr. Heavey provided a synopsis for the Board indicating that recycling was at 54% of total waste, which is an accomplishment for Medway residents since the year before, the recycling rate was 45.8%. Mr. Fisher noted their current success with NEED which, hopefully, will alleviate some of the past problems they had experienced. Mr. Heavey, in turn, thanked his staff and the residents of Medway for their support.

Mr. Fisher briefly mentioned that the household hazardous waste consortium was hoping to have more events for the various towns to attend.

8:45 p.m.- Jim Hoodlet, Vice-Chairman of the Municipal Building Committee, came to speak to the Board concerning a presentation that David Verdolino, School Director of Operations and Finance, gave to the Committee.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 26, 2001

Mr. Hoodlet brought up a report and recommendation, dated January 2000, given by Symmes, Maine and McKee concerning the school roofs. Therein, they detailed replacement of the roofs in all cases.

They went on to also detail the problems with the school boilers which SMMA stated should be either repaired or replaced. Mr. Hoodlet stated the Committee had voted to approve the two requests and asked that a special town meeting be called and warrant opened for the two articles. He stated the funding is under review, but the potential cost for the roofs including design would be around \$2,040,00, with an additional \$360,000 for boilers, for a total of \$2,400,000. This would not be grandfathered under school renovations, according to Mr. Verdolino, but could be considered under the 57% reimbursement. Mr. Hoodlet explained that, even though the report is a bid old, the contents were still valid. Mr. Mosher was not quite sure if reimbursement was feasible or the percentage amount.

When Selectman Dziczek asked if it was necessary to replace all the roofs/boilers, or possibly just do one-half, Mr. Hoodlet stated they were all out of warranty. Selectman Dziczek commented it was a shame to remove and/or replace a roof when there were future changes to be made. Mr. Hoodlet explained all the buildings were more than one to two years away from renovations, and structural impairment may be caused so they need to come up with a solution. Selectman Williams asked if this should go through CIPC, and Selectmen Johnson believed, since this was a repair to a municipal building, it should go through them as well for any consolidation for bonding.

For update purposes, Mr. Hoodlet wished to state that the Committee was working on finalizing the site area, refining the roadway design through the O'Toole property, getting progress updates on the school design itself, and discussing the overall budget.

Selectman Johnson brought up the construction manager, and Mr. Hoodlet stated a subcommittee of Mr. Lindsey, Mr. Kalicki and himself was formed to identify which tasks should be assigned to the construction manager vs. The Design Partnership of Cambridge group. The Committee would then be able to schedule interview with the construction management firms in the next couple of weeks.

(9:15 p.m. – Selectman Rozanski returned to the meeting.)

With reference to the Municipal Building Committee's request, Selectman Williams took action item (a) out of order and moved to reopen the warrant; Selectman Dziczek seconded; all aye. Selectman Williams moved to insert in the annual town meeting warrant an article 12 as proposed for school roofs; Selectman Dziczek seconded; all aye. Selectman Williams moved to insert in the annual town meeting warrant an article 13 as proposed for school boilers; Selectman Dziczek seconded; all aye. It was agreed that the articles would then go to the ballot if passed.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 26, 2001

Selectman Johnson brought up the inspection fees for the new school and asked that the warrant again include that article. Selectman Rozanski moved to include the article on the annual town meeting warrant; Selectman Dziczek seconded; all aye.

Taking action item (b) out of order, Selectman Rozanski moved the warrant be closed; Selectman Dziczek seconded; all aye.

9:25 p.m. – Selectman Johnson suggested the Board formally move to enter into a contract with William Mosher as Interim Town Administrator per the terms in the agreement; Selectman Rozanski so moved; Selectman Dziczek seconded; all aye.

5. Committee Reports.

Selectman Dziczek explained that on March 12<sup>th</sup>, the Chairman had asked that he review the snow removal complaints the Board received on mailboxes (copy attached). He then proceeded to elaborate on the report he submitted.

Selectman Williams noted that the main issues were: complaints of damage to mailboxes and treatment they received. He understood that there may have been too large a vehicle plowing in the neighborhood. Selectman Rozanski believed there were some management issues here and maybe there should be a policy. Selectman Johnson agreed that possibly a policy would be good; however, people cannot go against the Town by-laws which should be obeyed. If the Town assumes responsibility, whose problem does it become? Selectman Rozanski felt they needed to talk to the Post Office, but reasonable care also needed to be taken by our people.

Selectman Dziczek stated that the Post Office agrees that the mailbox posts are in the public way, but who replaces them, and who gets reimbursed? There were many rules and regulations available, but there has been no direction on this, and people ought to get together and do something.

Dana Blunt of 7 Azalea Drive asked how Town property was determined, since they knew there was a 25' easement which they use? He went on record to say that Lee Henry was not kind to him and his wife. Jim Smith, who was in attendance, stated that he recommended a larger vehicle be used in that neighborhood since a smaller truck would not work as the streets were too wide.

Mr. Mosher will research the issue further.

Selectman Johnson suggested meeting with Mr. Mosher to discuss Attorney Miyares' letter on the obligations pursuant to the Sithe agreements.



MINUTES OF THE SELECTMEN'S MEETING  
MARCH 26, 2001

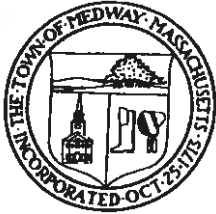
- Referring to action item ( c ), Selectman Dziczek moved to appoint Leanne Reardon to the Medway Pride Day Committee; Selectman Williams seconded; all aye.
- Selectman Johnson noted they needed to make some arrangements when Ms. Fredette went on vacation.
- A reminder of the Board meeting at 6:30 p.m. in Room 111 of Medway High School on April 2<sup>nd</sup> prior to the special town meeting, and of the Finance Committee meeting on April 3<sup>rd</sup>.

10:05 – Selectman Dziczek moved the meeting be adjourned; Selectman Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
6/4/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**MARCH 19, 2001**

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.  
Joint meeting minutes of February 21, 2001.
3. Public comments.
4. Town official updates – none.

7:15 p.m. – Glenn Trindade, Chairman Open Space Committee.  
Re: Fontanella property.

7:30 p.m. – Gerry Lindsey and Jim Hoodlet, Municipal Building Committee  
Re: interaction/relationship – Summer Street and new school.

5. Committee reports.
6. Administrator's report – none.
7. Discussion items.
  - a. Second reading of policy for use of public buildings.
8. Action items.
  - a. Appointment of Interim Town Administrator.
  - b. Review of Annual Town Meeting warrant articles.
9. Communications/correspondence/informational items.
  - a. Announce new Medway Pride Day Committee members.
10. Upcoming Selectmen's meetings.
  - a. Regular meeting on March 26<sup>th</sup>.
  - b. Regular meeting on April 2<sup>nd</sup> at 6:30 p.m. in Room 111 of Medway High School, followed by Special Town Meeting at 7:00 p.m. in auditorium.
  - c. Regular meetings on April 9<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>.

11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

*C. A. B. Jen*

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Administrative Services Assistant M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:05 p.m. – Selectman Johnson opened the meeting in Sanford Hall of Town Hall.

1. Selectman Williams moved that the Board approve and sign warrant #38 in the amount of \$493,990.74; Selectman Dziczek seconded; all aye.
2. Selectman Rozanski moved that the minutes of February 21<sup>st</sup> be approved; Selectman Dziczek seconded; all aye.

Some discussion centered around the proposed FY'02 budget, with Selectman Johnson noting that no decision had been previously reached on the School Department budget, but today they had received a letter stating that the School Committee had approved recommending a budget of \$16,947,729. Selectman Rozanski noted that a recommended cut of \$826,000 from the municipal side on various line items had already been suggested which still left a \$1.5 million shortfall. Selectman Dziczek commented all budgets are in now.

3. Public comments – none.
4. Town official updates – none.

7:15 p.m. – Glenn Trindade and David Hoag of the Open Space Committee came to meet with the Board concerning the Fontanella property.

Mr. Trindade stated it was unrealistic for the Town to consider purchasing that piece of property in its entirety, but they would like to see the Town, as a committee, pursue some part of it. He continued that a developer might be willing to do just that. Mr. Trindade was looking to the Board for support to investigate before time runs out on the clock, which could allow 20-22 house lots to be built. The Open Space Committee would like to be active participants and to look at alternatives, as well as guidance to pursue this, which they were willing to do.

Mr. Hoag indicated that Jedidiah Mannis has a non-profit organization, and he and Glenn were planning on meeting with him and a member of the Upper Charles Land Trust to see what could be done. Selectman Johnson stated the Board could indicate they were looking favorably on their efforts to be guided by Mass. General Laws, however, they would want to release the property if it was not feasible.

Selectman Dziczek moved the Board not take any action on right of first refusal at this time, to notify the applicant of the Board's intention, and that this committee come back in thirty days with additional research; Selectman Williams seconded.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

Selectman Rozanski amended that motion with the following: to authorize the Open Space Committee to investigate the potential for using the Town's right of first refusal in concert with non-profit land trusts, reporting back to the Board of Selectmen in thirty days, or offer other alternatives; Selectman Dziczek seconded; all aye.

- Selectman Johnson noted the purchase and sale agreement for the O'Toole property presented to the Board for their signature, which they agreed to sign.

7:40 p.m. – Jim Hoodlet and Gerry Lindsey of the Municipal Building Committee came to meet with the Board concerning Summer Street and the location of the new high school.

Mr. Hoodlet stated they were here this evening for several reasons:

- the engagement of VHB to conduct additional work at the high school site;
- a review and survey of the easement from the high school site to Adams Street is being recommended by the civil engineer to address safety concerns brought up;
- the engagement of VHB possibly to do a traffic study and review of the roadway and signal improvements.

Mr. Lindsey commented that Mr. Briggs had already been approached, and discussions relative to the fire lane and water/sewer easement to the high school still needed to be concluded, with input from all Town departments. Mr. Lindsey was also concerned about overlap of scopes of services between the TDPC and VHB. Selectman Johnson indicated some concern with the original plan of Summer Street having one sidewalk, and now with the new high school, two may be warranted. This idea suggested to Mr. Lindsey the need for an additional sidewalk plow.

Mr. Hoodlet looked for authorization from the Board to survey for a potential easement and the preparation of a topographic plan of the property by VHB for \$5900. He contented if there was a duplication of effort, it won't be done; however, they needed to have the site plan completed by June 30<sup>th</sup>. The easement was important because if this second emergency access doesn't work out, they would have to extend the main road which would be more costly. Selectman Rozanski moved to authorize a survey and topo as outlined by Selectman Williams in the VHB proposal for \$5900; Selectman Dziczek seconded; all aye.

Mr. Hoodlet further stated that the site plan in progress requires a buffer zone to accommodate the setback requirements by Natural Heritage. An appraisal of the three acres also needs to be done. Selectman Johnson believed an appraisal had already been done of the eighty acres which included these three acres. Selectman Rozanski inquired if there was an option to do a purchase and sale agreement instead of a taking. Selectman Johnson stated Town Counsel had indicated he would rather see the Town pursue a taking, but he would speak

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

further with him about this. Additionally, Mr. Lindsey said he would be meeting with David Verdolino this week relative to the school roof situation.

5. Committee reports.

- Selectman Dziczek noted attending the St. Patrick's Day Dance at St. Joseph Parish Hall.
- Selectman Williams provided an election report update, indicating the annual caucus coming up on March 30<sup>th</sup>.
- Selectman Rozanski stated she had attended the Finance Committee and School Committee meetings.
- Selectman Johnson stated that the Board had met on Saturday and voted to offer the position of Interim Town Administrator to William Mosher of Dartmouth. He said Mr. Mosher had been contacted by him and met with him today. They discussed the period of time Mr. Mosher would be working per work on an hourly wage. Both parties were in agreement on the hourly wage, but the Board would probably adjourn to an executive session later to discuss this further. At this time, Mr. Mosher had tentatively accepted. Selectman Williams felt Mr. Mosher was selected not because of his depth of experience, but his breadth of experience. Selectman Johnson added that Selectman Williams was the liaison to the Municipal Building Committee, but since it had been difficult for him to attend, Selectman Johnson would go in his place, and in the future, Mr. Mosher might also be in attendance.

6. Administrator's report – none.

7. Discussion items.

- a. Selectman Williams read the policy for use of public buildings, which Selectman Rozanski moved that the Board vote on; Selectman Williams seconded; all aye. This would be included in the policy book.

8. Action items.

- a. The appointment of the Interim Town Administrator was already discussed.
- b. The Board continued their review of the annual town meeting warrant articles.

Article 14 (audit) was again brought up and moved for placing on the warrant for \$30,000; motion was seconded; all aye.

Article 15 (pre-employment physicals) was moved for placing on the warrant for \$5,000; motion was seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

Article 16 (parking in handicapped spaces) would have the wording changed as approved by Town Counsel. Selectman Dziczek so moved placing the article on the warrant; Selectman Rozanski seconded; all aye.

Article 17 (CIPC) was moved for placing on the warrant by Selectman Rozanski; Selectman Williams seconded; all aye. Selectman Johnson noted that Mr. Hartman had recommended some additional cuts be made in the CIPC budget of the COA bus, fire engine and dump truck, and now was the time to do it, and so moved to remove those items from the article; Selectman Dziczek seconded. Selectman Dziczek further stated the Finance Committee was upset that the Board was approving articles that indicate a potential shortfall to the budget. Selectman Williams did not feel the Board should change the CIPC recommendations. Selectman Johnson withdrew his motion; Selectman Dziczek seconded that, and article 17 was left as it was; all aye.

Article 18 (omnibus article) will include all budget line items as indicated in the Finance Committee book.

Article 19 (funding for the maintenance of the Water Department); this was moved for placing on the warrant; seconded; all aye.

Article 20 (water surplus funding to be transferred to the water testing account); this was moved for placing on the warrant; seconded; all aye.

Article 21 (funding for the maintenance of the solid waste/recycling department); this was moved for placing on the warrant; seconded; all aye.

Article 22 (stabilization fund transfer) was moved for placing on the warrant by Selectman Rozanski, seconded by Selectman Dziczek; all aye.

Article 23 (bonds authorized and unissued) was moved for placing on the warrant; seconded; all aye.

Article 24 (historical properties) was replacing the previous wording of Article 17 and was moved for placing on the warrant by Selectman Rozanski; seconded by Selectman Dziczek; all aye.

Article 25 (inspection fees) was moved for placing on the warrant by Selectman Rozanski; seconded by Selectman Williams. Selectman Rozanski then believed that the funding source should be the \$39 million already appropriated at town meeting, and therefore moved to have the article removed from the warrant; this was seconded; all aye.

Article 26 (citizens petition) for a Fire Department enterprise fund is automatically on the warrant.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

- c. Two emergency transfers submitted by the Council on Aging and one by the Fire Department needed to be approved by the Board of Selectmen.

The first was for \$4,392 for salary for COA van drivers. Selectman Rozanski had a problem with this appearing to be open-ended since it seemed to have started at 18 hours, and now were doing between 26 and 30 hours. Selectman Johnson understood it to be the need for transportation to medical appointments. Selectman Williams believed this should have been budgeted better, but moved approval of the emergency transfer; Selectman Rozanski seconded; Selectman Dziczek abstained; aye.

The other transfer was for \$4,000 for oil bills, funding for which was not included in the budget. Selectman Rozanski moved approval of the emergency transfer; Selectman Williams seconded; Selectman Dziczek abstained; all aye.

The Fire Department submitted a transfer for replacement of the emergency generator at Town Hall/Station 2 for \$30,000. Selectman Rozanski moved approval of the transfer; Selectman Williams seconded; all aye.

- 9. Communications/correspondence/informational items.
  - a. Selectman Johnson stated that three residents had come forward to volunteer for the Medway Pride Committee, and specifically Medway Pride Day which would be held on May 19<sup>th</sup>. They were Wendy Rowe, Marjorie Sanford and Mary Beth Fraser, and the Board thanked them for doing so. Robert Parrella of the Medway Business Council was also encouraging the support of Medway residents.
- 10. Upcoming Selectmen's meetings.
  - a. Regular meeting on March 26<sup>th</sup>.
  - b. Regular meeting on April 2<sup>nd</sup> at 6:30 p.m. in Room 111 of Medway High School, followed by Special Town Meeting at 7:00 p.m. in auditorium.
  - c. Regular meetings on April 9<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>.
- 11. Executive session.

9:30 p.m. - Selectman Williams moved the Board adjourn to executive session, not to return to public session, for reason #3, specifically to discuss strategy with respect to preparation for negotiation with non-union personnel; Selectman Dziczek seconded; all aye. The vote: Selectman Dziczek - yes; Selectman Williams - yes; Selectman Rozanski - yes; Selectman Johnson - yes.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 19, 2001

Selectman Williams said he would take minutes of the executive session so  
Ms. Fredette was excused.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
5/21/01



MINUTES OF THE SELECTMEN'S MEETING  
MARCH 17, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Administrative Services Assistant M. J. Fredette.

9:05 a.m. – Selectman Johnson called this special meeting of the Board of Selectmen to primarily discuss the warrant articles for the April 2<sup>nd</sup> special town meeting.

It was noted that articles 1 and 2 were brought forward to the Board by the Community Preservation Act Study Committee. Selectman Williams moved article 1 be placed on the warrant; Selectman Dziczek seconded; all aye. Selectman Rozanski moved article 2 be placed on the warrant; Selectman Gildea seconded; all aye. Selectman Williams provided a synopsis of the articles for the viewing audience.

Selectman Gildea moved article 3 (Board of Health transfer) be placed on the warrant; Selectman Williams seconded; all aye.

Selectman Williams moved article 4 (Solid Waste transfer) be placed on the warrant; Selectman Dziczek seconded; all aye.

Selectman Williams read article 5 (transfer of additional funds of \$187,000 to FY'01 School Department budget). He also read a letter from the Superintendent denoting the deficit they were facing. At this point, it was understood there was \$166,459 available in the debt service line item that the Schools were requesting be transferred to them.

Selectman Johnson felt this article was different from the rest being placed on the warrant since the others were interdepartmental transfers. School Committee Chairman Charlie Myers was present and stated the amount they are seeking is \$187,000, of which \$166,000 is the library grant transfer they would like to utilize, along with \$21,000 from the FinCom reserve. Selectman Williams moved to amend the amount in the article to \$187,000; Selectman Rozanski seconded.

Further discussion by Selectman Dziczek on the over one million dollar deficit they were facing. He felt that FinCom would be dealing with the dollar issues, and if other departments knew there was money available, they would seek it like the Schools. Selectman Dziczek stated he was in favor of the article with the understanding that FinCom would look at all the articles and make a recommendation as to where the money should be allocated. Selectman Rozanski agreed the amount should go in the article, but noted the source of funding would not be listed.

Selectman Johnson brought up the deficit figure, thinking that the FinCom, School Committee and a recent article in the paper don't all agree on the same figure. He felt that this transfer may not totally take care of the School's deficit, with Selectman Dziczek believing the Schools may have indicated this was a "projected" deficit for them. Mr. Myers explained the figure was originally \$400,000, but with school choice and other cost-cutting measures, were able to bring it down to \$187,000, which he felt was the new number now. Selectman Williams moved on the amended amount of \$187,00 being included in the article; Selectman Rozanski seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 17, 2001

Selectman Williams moved that article 6 (Building Department transfer) be placed on the warrant; Selectman Dziczek seconded; all aye.

Selectman Williams moved that article 7 (Council on Aging transfer) be placed on the warrant; Selectman Rozanski seconded; Selectman Dziczek abstained; aye.

Selectman Rozanski moved that article 8 (bond issuance costs) be placed on the warrant; Selectman Dziczek seconded; all aye.

Selectman Williams moved that article 9 (DPS transfer) be placed on the warrant; Selectman Rozanski seconded; all aye.

Selectman Williams moved that article 10 (DPS road repair) be placed on the warrant; Selectman Dziczek seconded; all aye.

The Board signed the warrant.

- The Board took up a couple of other issues at this time.

- Selectman Johnson said that several people had come forward at the Board's request for volunteers for Medway Pride Day. Selectman Williams moved to appoint Wendy Rowe, Marjorie Sanford and Mary Beth Fraser to the Medway Pride Day Committee; Selectman Dziczek seconded; all aye.

- The Board discussed the Interim Town Administrator position, with Selectman Johnson asking if they would like to take a vote this day on their choice for the position. No one was opposed to taking a vote, although Selectman Gildea would have liked to have had his paperwork available.

Selectman Johnson stated that everyone he spoke to gave high marks on all three candidates. Selectman Williams stated no negative comments were made by those he spoke to. In looking over the resumes and bringing to mind the interviews, Selectman Rozanski found all three outstanding as well. Selectman Dziczek voiced his concern with being in the finance season and possible disciplinary issues coming up, and wanted someone familiar with handling both. He asked what type of hours and salary were being proposed. Selectman Johnson stated there would be a contract signed and a 1099 instead of a W2. Selectman Gildea questioned why was the Board not interested in possibly hiring the interim as permanent. Selectman Rozanski noted the candidates have applied under the condition that it is an interim position.

The Board did a secret ballot with the following results: Mr. Mosher – 3 votes; Mr. Carlisle – 1 vote; Mr. DeManche – 1 vote. Selectman Rozanski moved to authorize the Chairman to contact Mr. Mosher and proceed with negotiations; Selectman Gildea seconded; all aye. Selectman Johnson said he would work with the Board's suggestion of three days and 24 hours, also noting that there are Selectmen's meetings, and possible FinCom and Municipal Building Committee meetings for him to attend. Letters will be

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 17, 2001

sent to the other two candidates thanking them once Mr. Mosher accepts, which could be announced at Monday night's meeting.

At this point, the Board reviewed the annual town meeting warrant.

Article 1 was noted as being those running for election, followed by the questions appearing on the ballot.

Articles 2 (repairs on roads), 3 (maintenance of roads), 4 (street acceptance), 5 (adopting scenic roads act), 6 (Village Street as scenic road) did not pose much discussion, however, Selectman Johnson did not like that all the non-accepted streets were listed in article 4. It was noted that they were all listed pending finalization prior to town meeting.

Selectman Dziczek felt that the Planning Board would be able to explain articles 7, 8, and 9 with regard to Granite Street.

Selectman Williams stated he had asked to have article 10 (Town Administrator appointments) on the warrant because he understood it was covered by statute. He did not believe the first line was as important as the second. He had included "otherwise modify" so that terms, etc. could be looked at. Selectman Rozanski said he had heard from segments of the Town as well that it should be put forth. She was interested in hearing Town Counsel's opinion on this. Selectman Dziczek still felt this article should be stricken from the warrant, and therefore, made a motion to remove the article from the warrant; Selectman Gildea seconded. Selectman Johnson agreed with Selectmen Williams and Rozanski that they should be in the warrant because certain issues were not clear.

Selectman Williams said he was willing to compromise and take out the line referring to the Town Accountant. Selectman Johnson had a problem with doing that indicating that there needs to be a check and balances system, and when the Town Accountant has a problem, that individual comes back to the Board. Selectman Dziczek believed that the Accountant is governed by laws, and the law dictates, no matter who their boss is. Selectman Rozanski felt management practices are put in place by the Selectmen, and a preponderance of towns have Selectmen appointing Town Accountants. Selectman Williams agreed that this would clear up any ambiguity with specifics.

The vote with regard to striking the two articles from the warrant: Selectmen Rozanski, Johnson, Williams – no; Selectmen Dziczek and Gildea – yes; motion does not carry.

With reference to article 11 (Board of Selectmen as Personnel Director), Selectmen Williams explained that the Town Administrator would oversee administration with the Selectmen as personnel director, as a separation, like a personnel board. He brought up article 18 of the town by-laws, method of administration, where the individual is designated, which would be the Town Administrator. He did not want the Selectmen to be involved in the day-to-day issues, but more as an oversight board. Selectman

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 17, 2001

Williams indicated Wareham and Franklin have charters working with personnel boards. He believed five individuals collectively can make a better decision than one individual. Selectman Johnson agreed article 18 of the town by-laws needs clarification, as there is a duplication of by-laws in many towns. Selectman Williams said article 23 supercedes existing by-laws, but were not changed; this brings it to the forefront for discussion. Selectman Rozanski felt this was more a correction rather than an outright change. Selectman Williams said that another entity should be overseeing actions of the personnel director, and most towns have a director or a board.

Selectman Dziczek stated that there may be some duplication between articles 18 and 23, but 23 supercedes 18, and there have not been the problems in the three years of a Town Administrator as there were in the past. He said he was again opposed to this article being on the warrant, and moved to strike article 11 from the warrant; for discussion Selectman Williams seconded. On the vote: Selectmen Dziczek and Gildea – yes; Selectmen Johnson, Williams and Rozanski – no. Motion does not carry.

Articles 12 and 13 (Library articles) did not bring discussion.

When going over article 14 (audit), Selectman Johnson suggested they table discussion on the other articles until Monday night. Selectman Dziczek questioned if this audit would be for both school and town. Selectman Johnson said he did not see the audit, so why bring it up. He believed it was an oversight that the Selectmen were not receiving the audit from the auditors, but the Town Accountant was. Selectman Rozanski suggested a procedure be put in place to report and review. Selectman Williams outlined the Audit Committee's responsibilities as outlined in the Town by-laws. Selectman Johnson suggested an audit be done prior to the present Treasurer/Collector retiring, but Selectman Williams thought afterwards would be better.

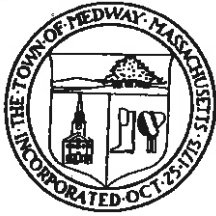
Selectman Rozanski moved to table discussion of the annual town meeting warrant until Monday night, March 19<sup>th</sup>; Selectman Gildea seconded; all aye.

11:30 a.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
5/21/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
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(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**MARCH 12, 2001**

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes – none.
3. Public comments.
4. Town official updates – none.

7:05 p.m. – Marjorie Sanford, Treasurer/Collector.  
Re: departmental receipt policy.

7:15 p.m. – Community Preservation Act Study Committee.

7:45 p.m. – Municipal Building Committee.

8:00 p.m. – Barry Simon.  
Re: solicitor's permit.

8:15 p.m. – Bill Mosher, applicant for Interim Town Administrator position.

8:30 p.m. – David DeManche, applicant for Interim Town Administrator position.

8:45 p.m. – Clayton Carlisle, applicant for Interim Town Administrator position.

5. Committee reports.
6. Administrator's report – none.
7. Discussion items.
  - a. First reading of policy for use of public buildings.
  - b. Request members for Medway Pride Day Committee – none at present time.

*Ci. AUB  
ALB*

8. Action items.
  - a. Vote to approve purchase of O'Toole property.
  - b. Vote to approve inclusion of articles for annual town meeting warrant (final wording of some articles not available yet, and Town Counsel has not approved as to form.)
  - c. Vote to approve one-day liquor license for St. Joseph Parish.
  - d. Vote to approve extension of live entertainment license hours for Sabina Doyle's on March 17<sup>th</sup>.
  - e. Vote to proclaim March Red Cross Month.
9. Communications/correspondence/informational items.
  - a. Receipt of Notice of Intent to Sell – Chapter 61A land, Edward Fontanella.
  - b. Receipt of policy promulgated by Treasurer/Collector for discussion next week.
10. Upcoming Selectmen's meetings.
  - a. Regular meetings on March 19<sup>th</sup>, 26<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Administrative Services Assistant M. J. Fredette.

7:03 p.m. – Selectman Johnson opened the meeting in Sanford Hall of Town Hall.

1. Selectman Williams moved that warrant #37 be approved and signed by the Board in the amount of \$6,810,771.79; Selectman Dziczek seconded; all aye.
2. Approval of minutes – none.
3. Public comments.

- Paul Quinn of 12 Karen Avenue came before the Board to state he had received a check for \$18 for his mailbox, and wanted to know why he was not receiving the full amount. Selectman Williams explained the Board's vote. He explained it was only a temporary fix, and will be resubmitting another bill.

- Dana Blunt also came to speak to the Board about his damaged mailbox post. He was here to provide additional information pointing out that the Town broke the post, with five letters from other people. Mr. Blunt does not believe the damage was done by anyone but the Town, even though none of the letters state that they saw the Town hit the mailbox.

Selectman Johnson commissioned Selectman Dziczek to speak to DPS Director Lee Henry and come back to the Board with a report. Selectman Dziczek hoped if anyone else came forward with the same complaints, that the Board's recommendation would then be the same.

- Ken Beatty also came forward stating he plows in the neighborhood, and was aware that over 30 mailboxes had been damaged in the Dogwood/Azalea area. In speaking to Mr. Henry, Mr. Beatty was told that the Town was plowing even on these unaccepted streets so that emergency vehicles could get through. Selectman Johnson agreed they were plowing for safety reasons, and added that residents pay taxes based on the value of their homes; streets don't enter into the picture.

- John East of Azalea Drive also chose to speak at this time. He believed that the wrong size vehicle had been sent to do the area, and driving at excessive speed. Insofar as the unaccepted streets were concerned, he questioned why money was released from the bond before the streets were completed? Treasurer/Collector Marjorie Sanford was present adding that it is the contractor's call how he posts the bond.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

- John Guiou of Dogwood Lane stated he was not there to complain but felt he was only getting apathy, not empathy from the DPS Director. He also noted that bales of hay he placed on his supposed property had gotten mowed down by the person plowing. Selectman Johnson apologized on his behalf and believed the people of Medway expected to be treated well.

4. Town official updates – none.

7:40 p.m. – Treasurer/Collector Marjorie Sanford came to speak to the Board concerning a departmental receipt policy she had drafted, a copy of which had been forwarded to the Selectmen. Mrs. Sanford stated that the auditors had requested that a policy be drawn up, which she was presenting this evening. She commented it was, at least, a good beginning. All Board members agreed the policy had merit and endorsed it. Mrs. Sanford said she would retype it and distribute it to all, with Selectman Johnson asking that the departments be advised that the Selectmen had approved it. On a formal motion, Selectman endorsed approval of the department receipt policy; Selectman Williams seconded; all aye.

7:45 p.m. – The Community Preservation Act Study Committee came to meet with the Board to provide a synopsis of their findings, copy attached. Members of that committee in attendance included: Dave Kaeli, Matt Hayes, Glenn Trindade and Dan Hooper. Mr. Kaeli also asked that two proposed articles be included in the special town meeting warrant. The Committee was thanked for their hard work in such a short period of time. Selectman Johnson recognized that a 3% surtax was being suggested, but noted it could be amended on town meeting floor if so desired.

Selectman Williams moved to hold a special town meeting on April 2, 2001; Selectman Rozanski seconded; all aye.

Selectman Williams moved to open the special town meeting warrant for April 2, 2001; Selectman Rozanski seconded; all aye. Selectman Williams also suggested that they close the warrant this evening as well. School Committee Chairman Charlie Myers stated that the School Committee had had discussions, and would like to place an article on the warrant if it is opened. Various suggestions were made for closing the warrant, with finally Selectman Williams moving that the warrant be closed on Friday, March 16<sup>th</sup> at 1:00 p.m.; Selectman Dziczek seconded; all aye. Selectman Johnson then asked that the Board meet on Saturday, March 17<sup>th</sup> at 9:00 a.m. just to discuss the warrant articles.

Back to the CPA articles, Selectman Dziczek moved to place the two articles on the special town meeting warrant (Town voting to accept Sections 3 to 7, inclusive of Chapter 44B of MGL, known as the Mass. Community Preservation Act and Town voting to establish a Community Preservation Committee); Selectman Williams seconded; all aye.



MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

Selectman Williams read the two Board of Health articles and moved that they be placed on the warrant; Selectman Dziczek seconded; all aye.

8:10 p.m. – Barry Simon of Horizon Foods, requesting a solicitor's permit, was taken out of order. He noted he would be selling out of his truck and take orders from residents for various food products. Selectman Williams moved that Mr. Simon be issued a solicitor's permit for the month of March from 9 a.m. through 6 p.m., Monday through Friday, during daylight hours only; Selectman Rozanski seconded with a restriction that he meet with the Board of Health for any permit they might issue; all aye.

8:20 p.m. – Jim Hoodlet, Vice-President of the Municipal Building Committee, accompanied by Keith Hoffses, Project Manager for The Design Partnership of Cambridge, came to meet with the Board. Mr. Hoodlet stated they were here for several reasons:

- To request the Board review and approve the purchase and sale agreement of the O'Toole property.
- To ask the Board to review the studies of the civil engineer, Judith Nitsch Engineering Inc., with regard to feasibility through the O'Toole property.
- To request the Board authorize the survey of the three acres to the ease of the school site owned by Mr. Briggs in preparation to take those acres.
- To request the Board authorize a notice to proceed with phase 1B of the project.

Sandra Brock of Judith Nitsch Engineering was present and outlined her findings to the Board. She noted meeting with various boards the previous week, including ConCom, DPS, Police, Fire and VHB. Again, they are trying to reduce the impact to the wetlands by designing a split entrance through the O'Toole property, which was indeed shorter in length than going through the northern part of the property. Ms. Brock also noted the safety factors of less high tension wires and sight distance being better.

John East was concerned about the wetlands and the impact to his property. Ms. Brock stated they had not yet done a drainage design, but detention basins would be put in and mitigation.

Mr. Hoodlet indicated the closing was scheduled for April 2<sup>nd</sup>, and asked that the Board consider the purchase and sales agreement at this time. Selectman Dziczek moved to take action item (a) out of order; Selectman Williams seconded; all aye.

Selectman Williams moved to execute the purchase and sales agreement for the O'Toole property located at 84 Summer Street; Selectman Dziczek seconded.

Mr. East also voiced his concern that the O'Toole property was not included in the town meeting warrant articles. Selectman Johnson stated this was fulfilling the agreement with Mr. Briggs that the Town would not pursue the northern property if the O'Toole access was deemed feasible. Mr. Hoodlet added that the agreement was reached between the two attorneys. All aye on the motion.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

Mr. Hoodlet then asked about the surveying of the three acres. Selectman Johnson asked that Mr. Briggs be notified of this. Mr. Hoodlet noted he was aware that former Town Administrator had already spoken to Mr. Briggs about this, but asked if the Board would like to formally agree that Mr. Briggs be notified in writing. Selectman Johnson stated a letter would be written the next day to that effect.

Mr. Hoodlet went on to the next item which was approval of phase 1B for TDPC, now that phase 1A had been concluded.

Selectman Rozanski moved to authorize the Chairman to sign approval for TDPC to commence with phase 1B; Selectman Williams seconded; all aye.

8:55 p.m. -- Bill Mosher, candidate for Interim Town Administrator, came to meet with the Board. Mr. Mosher stated he had heard and dealt with many of the issues discussed this evening. He summarized his resume noting he understood various positions in town government having served on many of them. He believed the Board was looking for someone to act as a caretaker in the absence of the Town Administrator, and would be willing to assist in seeking the replacement for Mr. Hartman.

Selectman Rozanski asked Mr. Mosher what he could accomplish in 60-90 days? He knew there was a town meeting coming up and would be of assistance with that budget process. He further complimented the attitude of Town Hall employees. Mr. Mosher also stated he had read the most recent management letter and would like to assist in the recommendations outlined therein.

Selectman Dziczek asked Mr. Mosher about his experience with Town Administrators? Mr. Mosher said he has worked closely with people associated with that type of position and very familiar with their roles, but would take direction from the Board.

Selectman Dziczek asked about hours? Mr. Mosher felt the interim position could be handled in less than 40 hours, but with a minimum of 20 hours.

Selectman Williams asked Mr. Mosher if he was hired by the Board and had a two-week waiting period, what would he do the first day? Mr. Mosher indicated he would make some trips to Medway to see what the issues were, and meet with two Selectmen at a time, and probably make some phone calls.

Selectman Johnson asked if he was familiar with procurement laws? He said he was although not certified.

With regard to salary, Mr. Mosher stated he would serve as interim without benefits, but when they consider what the position pays and vacation, it is strictly math which you can turn into an hourly wage and negotiated subject to an executive session with the Board.

With regard to references, Mr. Mosher told the Board to feel free to call any of the Selectmen or Town Administrator in Dartmouth. Selectman Johnson indicated he hoped

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

reference checks would be done this week so a decision could be made next Monday night.

9:15 p.m. – David DeManche, the second candidate for Interim Town Administrator, next came to meet with the Board. Mr. DeManche indicated he had been in Uxbridge for nine months, and before that, other towns. He believed he could handle all situations and could do the job.

Selectman Johnson said he was impressed with his record, and asked about procurement knowledge? Mr. DeManche stated he was not certified but was CPO in two towns and was familiar with the laws.

Selectman Rozanski asked why he applied in Medway and what did he hope to accomplish? Mr. DeManche indicated he had the ability to do the job, has the time, and missed being away from that type of work.

Selectman Dziczek asked how much time he had to dedicate to this position? Mr. DeManche said he believed three days a week was sufficient, along with meetings, and tasks assigned from the meeting.

Selectman Williams asked if he could compare/contrast interim vs. permanent? Mr. DeManche felt there was no difference. He was good at what he did, he is open and agreeable with all, and wanted to work for the Board.

Selectman Williams asked what he would do the first day? Mr. DeManche said he would meet people and department heads.

Selectman Gildea asked if the position was offered him as permanent, would he take it? Mr. DeManche said he might venture it. He was comfortable with the position being interim, however, and an hourly wage with no benefits. He felt that three eight-hour days including meetings was realistic.

Mr. DeManche asked the Board what the priorities were? Selectman Johnson stated his role would be coordinated through the Selectmen, but he would be supervising various departments. With regard to the budget process, Selectman Johnson stated they were almost at the final stage. Again, as with Mr. Mosher, Selectman Johnson said they hoped to do reference checks this week, and reach a decision next Monday.

9:30 p.m. – Clayton Carlisle, the third candidate for Interim Town Administrator, came to meet with the Board. He stated he had served as interim four times, budget director twice, had 28-30 years experience serving a variety of roles, with 22 years experience as an administrator and 10 years as a consultant. He believed the role should be a little different than the permanent, but would try to complete hanging items and leave the permanent administrator a record of his actions. He would support the Board's efforts in getting a permanent person, along with an index of a notebook containing items accomplished.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

Selectman Dziczek asked how much time he would be willing to give the Town? To support all, Mr. Carlisle felt it was best to be there when Town Hall was open and his hours should coincide, which could be accomplished with 30 hours.

Selectman Williams asked what he would do in the first week, and on the first day? Mr. Carlisle said he would want to find out what level of support the Selectmen wanted to have, get the basic documents from the Town Clerk, meet with departments, and make various phone calls.

Selectman Williams asked Mr. Carlisle if he could compare/contrast an effective interim Town Administrator and a permanent? Mr. Carlisle believed a permanent would look at the long range; an interim would look primarily short-term and be an enabler to department heads and a support system to them.

Selectman Rozanski asked why he chose Medway, what did he feel his role was, and what did he hope to accomplish in 90 days? Mr. Carlisle stated he liked the location and felt comfortable with the structure in place.

Selectman Gildea asked if he would have liked to be the permanent? Mr. Carlisle stated he did not as he wanted to continue his work with FEMA. He stated he has been a permanent Town Administrator, and does not see why he would want to do that again. He was not certified in procurement, but knew the laws.

Again Selectman Johnson stated, if hired, would be done on a contract basis with no benefits, and that they would try and make a decision next Monday.

Mr. Carlisle asked what issues the Board would want the interim to pursue? Selectman Johnson did not want to lead the interim by hand, wanted him to be familiar with procurement since the new school was going in place, and securing agreements and recording them.

Selectman Johnson said he would work with the Board on making the necessary reference phone calls.

5. Committee Reports.

- Selectman Dziczek noted the upcoming Finance Committee meeting on Wednesday, which he will attend, but also suggested other Board members attend. Selectman Johnson wondered how the Finance Committee can go over the budget if the School Committee had not finalized their figures yet? Selectman Dziczek noted that various cuts had been recommended by Mike Hartman. Selectman Johnson suggested Board members may also want to attend the School Committee meeting.

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

- Selectman Williams asked if a date for a grievance hearing had been filed yet? Selectman Johnson said, if not, a letter will be on file that both agree on a future date for the hearing.

Selectman Williams asked that Town Accountant Kurt Johnson meet with the Board next week to have the Board give their expectations to him. He read Kurt Johnson's letter dated March 2<sup>nd</sup>, outlining his findings after one week on the job. Selectman Johnson felt that Kurt Johnson should be present when the letter was being discussed, however, Selectman Williams felt that the letter can be an agenda item with the Accountant next week.

Selectman Williams read a letter from the Cantors inviting the Board to their son's Eagle Scout award ceremony. Selectman Rozanski moved to award David Cantor a certificate of accomplishment from the Board; Selectman Williams seconded; all aye.

Selectman Williams commended the Town employees on their handling of the recent storm. Adding to that, Selectman Johnson explained that a state of emergency had been called, and that Sanford Hall had been set up as emergency headquarters. He congratulated the emergency management people, and their being able to procure additional salt. Lt. Malo's letter to Frank Taylor thanking him for the use of his snowmobile was acknowledged.

- Selectman Rozanski noted that a final meeting had been held with the Sithe Negotiating Committee, executive session minutes released, and the book of minutes filed with the Town Clerk. They had also received a letter from Special Counsel with a final wrap-up.

Selectman Rozanski noted attending a workshop on the Mass. Pension system. She stated an act has been filed to form a committee to study this, as well as post-retirement health care. Selectman Rozanski said she had prepared a certificate for Steve Reding indicated he was the recipient of the title, Honorary Administrative Assistant Fire Chief. Selectman Williams read the certificate, with Selectman Johnson adding that he knew a white helmet would also be presented to him at the appropriate time.

6. Administrator's report – none.

7. Discussion items.

- a. With reference to a first reading of policy for use of public buildings, Selectman Williams suggested this be postponed until next week. Selectman Johnson agreed to this, but

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

believed this meeting would count as the first reading, for discussion next week. Selectman Rozanski said she had made some changes from the original draft, with Ms. Fredette suggesting the Town should be indicated as an additional insured on the insurance certificate.

- b. The Board appealed for new members to come forward to be appointed to the Medway Pride Day Committee, or that event might not occur this year.

8. Action items.

- a. The vote to purchase the O'Toole property was already acted upon.
- b. Held over until later.
- c. Selectman Rozanski moved to approve a one-day all alcoholic liquor license for St. Joseph Parish for March 17<sup>th</sup> from 6:30 p.m. to midnight for a St. Patrick's dinner dance; Selectman Dziczek seconded; all aye.
- d. Selectman Williams moved to approve an extension of Sabina Doyle's live entertainment license hours starting earlier at 2 p.m. instead of 6 p.m. on March 17<sup>th</sup>; Selectman Dziczek seconded; all aye.
- e. Selectman Williams read the proclamation declaring March Red Cross Month in May and moved the Board sign the proclamation; Selectman Dziczek seconded; all aye.

9. Communications/correspondence/informational items.

- a. The Board acknowledged receipt of a notice of intent to sell on chapter 61A land owned by Edward Fontanella. Selectman Johnson indicated there were approximately 26 acres involved and the Town has first right of refusal. Selectman Johnson asked that a letter be sent to all involved looking for a recommendation from those boards for mid-April.
- b. Board will discuss a departmental policy submitted by the Treasurer/Collector next week.

Selectman Johnson mentioned that packets were being sent out to those individuals requesting information on the Town Administrator

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 12, 2001

position. Included in that packet were: article #23 of the Town By-law as is; job description as is; pay rate; and proposed town meeting warrant articles. Paul Wilson, who was in attendance, stated that that information should be going to the MMA Consulting Group's Mark Morse. Selectman Johnson said the letters were being forwarded from him to the Town Clerk and then on to Mr. Morse.

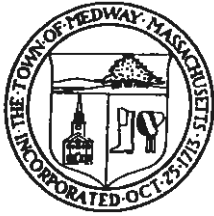
Mr. Wilson went over the consultant's charge: Mr. Morse will be looking at all applications and those not qualified will not be included in the running. He will then present to the Committee those who fit the qualifications. From that pool, approximately five qualified candidates will be chosen by the Committee to submit to the Selectmen. Mr. Wilson did comment that he didn't think this could all be done in 90 days.

10:50 p.m. -- Selectman Gildea moved the meeting be adjourned; Selectman Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant

APPROVED  
5/21/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**MARCH 5, 2001**

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes – none.  
None.
3. Public comments.
4. Town official updates – none.

7:15 p.m. – Community Preservation Act Study Committee.

7:45 p.m. – Municipal Building Committee.

8:00 p.m. – Barry Simon.

Re: solicitor's permit.

8:15 p.m. – Bill Mosher, applicant for Interim Town Administrator position.

8:30 p.m. – David DeManche, applicant for Interim Town Administrator position.

8:45 p.m. – Clayton Carlisle, applicant for Interim Town Administrator position.

5. Committee reports.
6. Administrator's report – none.  
None.
7. Discussion items.
  - a. First reading of policy for use of public buildings.
  - b. Request members for Medway Pride Day Committee – none at present time.
8. Action items.
  - a. Vote to approve purchase of O'Toole property.
  - b. Vote to approve one-day liquor license for St. Joseph Parish.
  - c. Vote to proclaim March Red Cross Month.

*Cancelled  
snow  
emergency*



9. Communications/correspondence/informational items.
  - a. Receipt of Notice of Intent to Sell – Chapter 61A land, Edward Fontanella.
  - b. Receipt of policy promulgated by Treasurer/Collector for discussion next week.
10. Upcoming Selectmen's meetings.
  - a. Regular meetings on March 12<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.

cc: Town Clerk for posting.

MINUTES OF JOINT SELECTMEN AND FINCOM MEETING  
FEBRUARY 21, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Finance Committee members John Collett, Steve Forbes, Dawn Boyan, Joni Sheridan, Diane Coulter, Barry Heller, Administrative Services Assistant M. J. Fredette.

Not in attendance: Selectman John Williams, Finance Committee members Carla Cataldo, Michael Creed, Kristen Diebus, Allan Fraser, Jay Leader.

7:10 p.m. - This joint meeting was called at the Police Station conference room to further discuss the budget process for FY'02.

Mr. Collett noted the use of funds for the upcoming reval. Mr. Hartman noted the Assessors have to demonstrate they have started the process, with Ms. Sheridan agreeing it needs to be done by 2003. Mr. Collett felt they could use money in stabilization, or there were other ways to do it. Last year \$96,000 went unencumbered. Discussing the school budget, Mr. Collett believed they needed five percent over the current budget for the present staffing. Ms. Boyan commented that 90% of the school budget was salaries. Mr. Dziczek felt that, rather than eliminating full positions from departments, possibly they could use part-time positions. Mr. Collett noted Ms. Cataldo was working on the total revenue picture.

At this point, Mr. Hartman went over the adjustments to the proposed budget he had made, noting a total of \$810,008 in potential cuts.

Chief Lambirth, who was in attendance, noted his concern about a third officer getting into the academy, and supported the change in their budget to reflect this.

Mr. Hartman also believed this was not the year to go to full-time firefighters/EMT's for EMS/Fire Department. Mrs. Rozanski asked about having only one full-time person on, but Mr. Hartman indicated that would not be 100% coverage. He also was changing his original total in cuts to include the additional half-time clerical position of \$16,130 for an amended total of \$826,138.

Requests were made to take a second look at the following budgets: fire, historical, health insurance, employee benefits, police, and then review those budgets in March or April. Mr. Dziczek suggested increasing the reserve account to possibly accommodate the cuts that were being made now. With the school budget, Mr. Hartman noted that his recommended budget of \$16.6 represented a 7.6% increase over last year. Mr. Collett asked Charlie Myers, who was also in attendance, to take a second look at school technology. Mr. Myers noted that the School Committee would now be concentrating on the budget process, with meetings on March 1<sup>st</sup> and 8<sup>th</sup>, and a public hearing on the budget on March 15<sup>th</sup>. He stated they are not locked in on any numbers yet.

Steve Forbes also commented that the CIPC would be meeting again to finalize their numbers as well.

MINUTES OF JOINT SELECTMEN AND FINCOM MEETING  
FEBRUARY 21, 2001

Mr. Collett stated the FinCom would now look at all budgets, and hoped that by March 14<sup>th</sup>, they would have a good idea of what the numbers were.

Mr. Collett asked about the access road into the high school parking lot. Mr. Hartman clarified that the area the high school kids are using as a parking lot, is not a parking lot, but they would be working to just get a road in to that area.

Mr. Dziczek asked the Board if they wanted to discuss the position of Interim Town Administrator? Mr. Johnson did not want to approach this in a haphazard manner and indicated he had spoken to Mr. Hartman today about this. Mr. Hartman asked if the Board would like him to get some recommendations from MMA Consulting? He also recommended that a candidate for interim not be a candidate for permanent. Mr. Johnson said they would discuss the subject of interim at their next meeting. He agreed with Mr. Hartman that those applying for interim should not be candidates for permanent.

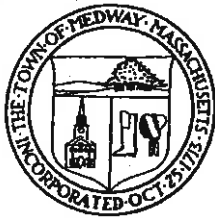
8:45 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED

3/19/01



## OFFICE OF TOWN ADMINISTRATOR

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

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

February 21, 2001

To: Board of Selectmen

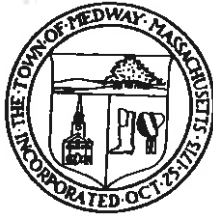
From: Michael Hartman 

RE: Possible Budget Cuts

At the request of Selectman Dziczek I have reviewed all municipal budgets approved by the Board of Selectmen. As provided in Section 23.6 (k), I have identified several areas that can be adjusted in order to bring the budget within our expected revenues. Each individual department has presented a compelling argument as to why their budget scenario should be fully funded. Although many of these recommended cuts will have a negative impact on service delivery by the respective departments, they are recommended because I believe they are the most prudent from an administrative perspective, especially when viewed within the context of the Town's overall responsibility for delivery of services to its citizens.

# POTENTIAL BUDGET ADJUSTMENTS

		Reduction	
<u>Department</u>	<u>Line item</u>	<u>Amount</u>	<u>Comment</u>
Sielctmen / Adm	Prof / tech	1,000	
	Advertising	750	
Accountant	Salary - ft	7,280	Reflects salary of new accountant
Conservation	Prof / tech	500	
	Office supplies	450	
IDC	Pprof / tech	500	recommending consultant stay at current level
Bldg. Maint.	Bldg. Repr.	3,000	
Health Ins.	Expenses	230,000	Reduction in contribution per employee to 5350 each.
Employee Ben.	Unemploy.	40,000	
Public Services	Road repair	53,000	Represents reduction in total paving from 173k to 120k
COA	Salary - pt	7,560	Reduction in bus driver, new bus not expected until late in yr.
Police	Salary - ft	8,000	change in time of hire for replacement personnel
Fire	Salary - ft	68,640	No increase in staffing
Build. Insp	Salary - ft	1,356	Decrease in clerical from 30 hrs. to 28 hrs. per week
Camp Sunshine	Other exp.	1,530	recommend to keep funding at current level
Park	Seasonal labor	5,975	recommend elimination of one posit. - still an increase over cuurent yr.
Historical Com.	Prof / tech	500	recommended deferral of consultant to fy' 03
CIPC	COA- bus	52,000	COA has received notice that grant has been approved
	Fire eng. Repl.	300,000	Defer replacement of Eng. 3 until FY '03
	Highway - dump	27,967	3 year lease / purchase rather than full purchase.
Em's		16,130	clerical - back to 20
TOTAL		<del>840,008</del>	
		826,138	



**BOARD OF SELECTMEN**  
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(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**FEBRUARY 26, 2001**

6:00 p.m. - Mark Morse - MMA Consulting Group Inc.

Re: Discussion concerning their scope of services and the charge of the Search Committee.

7:00 p.m. - Treasurer/Collector Marjorie Sanford and Town Clerk Maryjane White.

Re: Signing of notes.

1. Sign warrant.

7:05 p.m. - Senator Magnani & State Rep. Loscocco.

Re: Legislative update.

7:30 p.m. - Brian Snow and Robert Cantoreggi.

Re: Candidates for appointment to the Conservation Commission as recommended by Board to Town Administrator (two openings exist).

7:40 p.m. - David Kaeli, Community Preservation Act Study Committee.

Re: Update on committee's progress.

8:00 p.m. - Rob Raymond of Data National Corp. and Bob Heavey, Chairman of the Water/Sewer Commission.

Re: Water utility billing.

2. Approval of minutes.

- a. Budget hearing minutes of January 16, 2001, January 20, 2001, January 25, 2001, January 27, 2001.
- b. Regular meeting minutes of December 18, 2000, January 8, 2001, January 22, 2001, January 29, 2001, February 6, 2001, February 12, 2001.
- c. Executive session minutes of December 11, 2000, January 27, 2001.
- d. Release of approved executive session minutes of July 24, 2000, November 13, 2000.

3. Public comments.

4. Town official updates - none.

*ci:ALP*

5. Committee reports.
6. Administrator's report.
7. Discussion items.
  - a. Proposed warrant articles: by-law changes relative to Town Administrator and Board of Selectmen.
  - b. Letters from Joseph Modica and Rikki Saksik relative to damaged mailboxes/posts.
  - c. First reading of policy for use of public buildings.
8. Action items.
  - a. Sign PILOT and Host Agreements with regard to Sithe.
  - b. Vote to approve purchase of O'Toole property.
  - c. Appoint Virginia Calapa as citizen at large to Community Preservation Act Study Committee.
  - d. Vote to extend site plan approval date for Sithe.
  - e. Sign Tata & Howard agreement for engineering work at Industrial Park.
  - f. Approve solicitor's permit for KJP Advertising Partners for Papa Gino's for month of March.
9. Communications/correspondence/informational items.
  - a. Administrator's departure on Friday, March 2<sup>nd</sup>, and farewell open door hours of 9 a.m. to 4 p.m. on Thursday, March 1<sup>st</sup>.
10. Upcoming Selectmen's meetings.
  - a. Regular meetings on March 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

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

6:00 p.m. Selectman Johnson called the meeting in Sanford Hall of Town Hall.

Present at this time were the Town Administrator Search Committee members: Paul Wilson, Marjorie Sanford, Raphaela Rozanski, Maryjane White, Jan Morris, and representing the MMA Consulting Group Mark Morse.

Selectman Johnson stated that the Committee had not organized yet; however, he did make the statement on behalf of the Board that anyone serving as Interim Town Administrator would not be in the running for permanent Town Administrator.

Mr. Hartman introduced Mr. Morse noting that Mr. Morse was here to assist the Board and the Committee in their search process. He also stated that the Board had received two letters from individuals interested in the Interim position, and Mr. Morse had submitted the names of two, one of which was available, further suggesting the Board interview all three.

Mr. Morse requested the Committee and the Board try to adhere to a timeline in keeping the process running smoothly. He understood the advertisements had already been sent to various publications, and suggested when the letters start coming in, to pass them on the Committee promptly so that he can receive a copy and start reviewing them immediately. He would then do the initial screening of the candidates, telephone interviews, calling references, and assist the Committee in reviewing resumes to conduct interviews. He advised the Board communicate with the Committee to define the parameters.

Mr. Morse indicated, typically, it would take 30-45 days to narrow the pool, and suggested they don't wait until the end of the process to begin screening the candidates. Selectman Dziczek suggested recommending a 90-day deadline to the Committee.

Mr. Wilson noted that, in the first search process, they started with a pool of 104 candidates, narrowing that down to 50, then again to 5, and finally to 2.

Selectman Williams felt the Board could determine the Administrator's pay range in that 90-day timeline. Selectman Johnson agreed they should not wait to discuss salary until the candidates were present.

6:30 p.m. – Mr. Morse and the Search Committee adjourned to discuss the process, and since Selectman Rozanski was on the Committee, The Board took a recess until 7:00 p.m.

7:00 p.m. – As time permitted, Selectman Johnson moved the Board take the signing of the PILOT and Host agreements out of order; all aye.



MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

John O'Brien and Doug Schmidt from Sithe were present to have the Host and PILOT agreements signed by the Board. Carol Niedbala was present to notarize the documents.

Selectman Rozanski moved that the Board execute the Host community agreement as presented; Selectman Dziczek seconded. Mr. O'Brien noted all changes that were voted to be in the agreement were there. Some concern by Charlie Myers, who was in attendance, that it seemed the implication a fall-back to oil existed. This was clarified not to be the case in the new structures, but the existing has the option. Mr. O'Brien noted they would be in violation of the air permit if that was the case, and would be happy to work with the Board if they were not clear with the issue.

Selectman Johnson stated this had all been previously discussed and agreed; all aye on the motion. The PILOT agreement, approved at Town Meeting, was also signed.

1. Warrant #35 was signed by the Board in the amount of \$903,963.86.

- Resident Paul Revell asked to speak to the Board before they continued on with their agenda. He reiterated for the Board his property issue, how the land he owned included 11 acres in Millis and 4.26 acres in Medway, with deeds and plans to back him up. In 1982, he was advised by both towns to pay his taxes in Millis, noting he was up-to-date to the year 2000. Millis then stopped taxing on the portion in Medway saying they had no jurisdiction over Medway, so he paid the first, second and third quarters for 2001 to Medway. However, he now saw in the newspaper that one lot of his was going to be taken for back taxes, with the suggestion those taxes be paid in Medway, however, he had already paid for 2000. Since the land was going to be taken this coming Wednesday, he asked for the Board's help.

Treasurer/Collector Marge Sanford was present, and she stated the property has been assessed as owner unknown for many years. Mr. Lally paid taxes on the property and then it went to land court, so they started from scratch. Mrs. Sanford said if she doesn't file a lien, it's up to them to go to land court, but there would be no taking now that taxes have been paid.

Mrs. Sanford and Town Clerk Maryjane White were present for the signing of notes for borrowing. Mrs. Sanford stated they were long-term notes for corrosion control, highway department equipment, technology, and the land for the high school. Selectman Rozanski moved the Board approve the bonding; Mr. Dziczek seconded; all aye. Notes were signed and attested to by the Town Clerk.

7:45 p.m. – Senator David Magnani and State Representative Paul Loscocco came to update the Board as to what was happening in the Legislature.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

Senator Magnani spoke about the budget process, chapter 70 funding, lottery aid, and remediation grants.

Representative Loscocco noted his working relationship with Senator Magnani, the increase in funding the towns were receiving, the suburban coalition bill, the results of MCAS being available earlier to the towns, tax incentives to businesses, 0% interest fund, general and special purpose funds, transferable tax credits for purpose of open space, and that they together co-sponsored several bills.

Senator Magnani felt they were an effective team in trying to bring more educational dollars to the towns while being involved in the 495 corridor initiative, open space and the community preservation act, loan fund for purchasing of open space, district improvement financing bill, taking the lead in education financing with the chapter 70 formula and looking for an increase in transportation funding.

Representative Loscocco provided his home phone (508-429-6158); State House number (617-722-2800 X 8991), at Room 443 at the State House. He asked that he be copied with grant applications so he could follow them.

Senator Magnani introduced Nancy Conboy, local and special projects director, who had accompanied them.

Representative Loscocco noted he and the Senator would be at the senior center the next day.

8:25 p.m. – Brian Snow and Robert Cantoreggi came to the Board to apply for appointment to the Conservation Commission. Mr. Cantoreggi stated he was a conservation officer in Norfolk, and Mr. Snow indicated he had a bachelors degree in earth science. Selectman Williams recommended appointment to the Town Administrator of both gentlemen to the Conservation Commission; Selectman Dziczek seconded; all aye.

- Members of the Community Preservation Act Study Committee came to update the Board on their Committee's progress. They included David Kaeli, Dick Coakley, Dan Hooper, and David Hoag consulting. Mr. Kaeli stated they had an informational meeting on February 15<sup>th</sup> and would be returning next week relative to an article for the warrant for town meeting for accepting the Act for a new by-law. With 1,333 responses to the open space survey, over 70% said they were in favor of the purchase of open space. They were not sure about the percentage of surcharge on real property, but believed there should be two exemptions: the dollar amount on assessed value, and those that qualify for low income or senior housing. Mr. Kaeli did say that the town can adjust the percentage annually, but has to go to the ballot to impose the change.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

Representative Loscocco suggested the amount of the surcharge be 3% the first year and get matching funds.

8:50 p.m. – The Board then took another out of order, that being to vote to extend the site plan approval date for Sithe. Selectman Williams read their letter of request. Selectman Rozanski moved to approve their request for extension for two years to March 27, 2003; Selectman Williams seconded; all aye.

At this point, Selectman Johnson received the results of the town election held this day on funding for the new high school. The results being on the first question: 1052 votes – yes; 421 votes – no. On the second question: 1047 votes – yes; 426 votes – no.

9:00 p.m. – Rob Raymond of Data National Corporation came to speak to the Board at their request along with Water/Sewer Commissioners Bob Heavey, Ron Wilson, and Paul Goguen, Assistant Registrar Sandra Bennett, and Board of Health Chairman Mike Heavey. Selectman Williams read Board of Health Administrative Secretary Jackie Ammering's letter concerning the Data National computer system and some of the problems she was encountering, one of which was that the Health and Water/Sewer Department accounts were still combined in the database.

Mr. Heavey noted Ms. Bennett's letter of January 17<sup>th</sup> relative to not making deadlines because of problems with the system, and that the consumption edit report was needed. Ms. Bennett indicated Mr. Raymond could not give her a schedule for completion of this, and if someone overpays, the adjustment won't show. She indicated water/sewer liens are not added to the tax bills, and that the combined trash and water/sewer accounts causes problems. Mike Heavey agreed trash and water/sewer finances and responsibilities were different. Mr. Goguen noted after 15 months of working with DNC, they still have problems.

Mr. Raymond stated that the Town purchased an integrated system, a demonstration was done, a study was done, specs were given out of what the software did. The Town wanted to integrate everything. They were not told to separate water and trash. DNC had spent time and resources at no cost to the Town. The Town got an integrated package as requested. They have tried to customize what Ms. Ammering required as well.

Mr. Hartman clarified DNC responded to the specs of the Technology Committee, and the Committee asked for an integrated system. All vendors were integrated vendors. The volunteer committee drew up the specs before he came to Medway. What we have asked DNC to do was separate as much as possible, which is really customizing the system.

Selectman Johnson knew they have had problems, but have not arrived at a solution yet.

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FEBRUARY 26, 2001

Mr. Raymond stated they met and discussed a schedule to attack the problems, which included converting the old to new. Schedules were set, but there were delays. A programmer was assigned to one application in one town. Different conversions were done, overpayment problem isolated, free training offered. The consumption edit report that was downloaded did not work for Ms. Bennett. One problem was with the entering of readings, which he felt could be corrected with an automatic reading meter that would provide the consumption data. He noted water/sewer liens don't match real estate parcels and map numbers, for which that data was converted and a program written, with the only link being addresses.

Mr. Hartman stated that the new Town Accountant intends to use the DNC system as of July 1<sup>st</sup> and was well versed on that software. Selectman Johnson did not feel the Town had derived the benefits of their investment.

Ms. Bennett believed there could only be one person posting payments at one time, but Mr. Raymond said that was false. Relative to accounts, he felt one page per account could be printed for their reports. Insofar as training was concerned, Mr. Raymond said they had already provided 32 hours of training, although Ms. Bennett felt only 6 hours had been given.

Bob Heavey felt that the problem seems to have been dropped on Town departments leaving them in chaos. He believed it had to be fixed or they would go into a separate system for water/sewer.

Treasurer/Collector Marge Sanford was present stating that the auditors wanted all collections through the Treasurer's office. They didn't bring a program in to fit everyone's needs, but bought a pre-programmed system, whereby you have to do some modifications. Mr. Hartman agreed the Town bought what was speeded, and that was what DNC was providing. Ms. Bennett believed even with the 20-year system they had and its problems, it now takes her twice as long to do the work. Bob Heavey asked for a solution. Selectman Johnson asked if DNC could fulfill the Town's requirements? He stated he would be willing to meet and help, but would like to ask the Water/Sewer Commissioners to delay their decision for another 30 days.

Mr. Wilson thought that the Assessors had their own separate system, but Selectman Johnson stated they just have the software package. Similarly, Mr. Hartman said that the accounting software package worked, but the previous Town Accountant did not like it.

Ms. Bennett asked how many towns have the trash and water/sewer utility billing? Mr. Raymond thought it might be 8-10 and would provide a list as requested.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

Mike Heavey asked if the two departments could be separated, but just are not compatible? Mr. Raymond stated his job was to satisfy them, but knew how much programming work had already been done. He thought it could be worked out and was also frustrated, but not from lack of effort. Yes, it is possible to separate the two departments, but it gets expensive when customizing has to be done. Mr. Raymond was agreeable to meet again and lay out some options. Selectman Johnson said he would like to see Water/Sewer, Board of Health, and DNC get together, and he and Selectman Williams would be willing to come as well. March 16<sup>th</sup> was set up at 9:30 a.m.

The Board went to:

3. Public comments, and took Discussion Item 7b. out of order. Dana Blunt and Rikki Saksik of 7 Azalea Drive had written a letter to the Board concerning a damaged mailbox post and mailbox. Mr. Blunt explained the reasoning behind their purchase of the granite post and the subsequent damage done.

Selectman Williams speculated if it was possible that someone plowing across the street could have caused the damage by backing into his mailbox. He thought it could be a reasonable conjecture as he thought their neighbor's plow came afterwards. The letter also referred to a great deal of noise which Mr. Hartman believed only occurred when the truck was starting and stopping, or cleaning catch basins. Mr. Blunt indicated that he saw a Town plow hit another mailbox, but Mr. Hartman noted it could have been someone acting as agent of the Town. Selectman Johnson suggested getting a letter from the Highway Department on this, and then they would get back to Mr. Blunt. Mr. Hartman commented some similar problems were already being investigated.

Doug Downing asked to speak to the Board. He indicated he was here as a private citizen and former member of the Board, and the first chairman who executed the contract for the Town Administrator. He was here to thank Mr. Hartman for his three years with the Town, and to make a citizen's request to get a copy of the minutes where the Town Administrator's responsibilities were discussed and the Clerk of the Board given the charge of suggesting changes. He indicated he would pick up those documents Wednesday morning.

Selectman Johnson provided Mr. Downing with a copy of the document of suggested articles, and added that it was improperly released because of the confidential nature. Mr. Downing believed the moment it was presented, it was a public document. Selectman Williams shared there were no minutes on this; he drafted them on his own. Mr. Downing understood then that this was a Board member acting independently. Selectman Williams said he may be wrong in the law and the way he was interpreting the law, but thought he could trust the people who worked for him, and did not feel the document had arrived in the hands of the public officials it was intended for. He did not see how the public was being

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

served by this. Mr. Downing was not here to pass judgment, only to make his requests known. Selectman Williams asked how other Board members would feel with regard to protocol.

Mr. Hartman stated, since they were making aspersions against the staff, once a document is in the hands of a public employee, that document is a public record. He felt it was inappropriate to put staff in the position of not releasing it. Selectman Johnson felt it was a breach of good faith, and town hall politics had to stop. Selectman Williams noted the comment that he written in the document indicating it was for the Selectmen's private weekly meeting preparation packets. Rather than discussing this further, Selectman Johnson asked that the Board proceed with the agenda.

The Board went back to:

2. Approval of minutes.

- Selectman Rozanski moved to release the executive session minutes of July 24, 2000; Selectman Williams seconded; all aye.
- Selectman Rozanski moved to release the executive session minutes of November 13, 2000; Selectman Williams seconded; all aye.
- Selectman Rozanski moved to approve and release the executive session minutes of December 11, 2000; Selectman Dziczek seconded; all aye.
- Selectman Williams moved to approve the regular meeting minutes of December 18, 2000; Selectman Rozanski seconded; all aye.
- Selectman Williams moved to approve the regular meeting minutes of January 8, 2001; Mrs. Rozanski seconded; all aye. Selectman Williams asked that the names of those making motions be included in the minutes whenever possible.
- Selectman Dziczek moved to approve the executive session minutes of January 27, 2001; Selectman Rozanski seconded and to release; all aye.
- It was moved and seconded to approve the regular meeting minutes of January 22, 2001; all aye.
- It was moved and seconded to approve the budget hearing minutes of January 16<sup>th</sup> and 20<sup>th</sup>; Selectman Gildea abstained; aye.
- It was moved and seconded to approve the budget hearing minutes of January 25<sup>th</sup> and 27<sup>th</sup>; all aye.
- Selectman Dziczek moved to approve the regular meeting minutes of January 29, 2001; Selectman Williams seconded; all aye.
- Selectman Williams moved to approve the regular meeting minutes of February 6<sup>th</sup>; Selectman Dziczek seconded; Selectman Gildea abstained; aye.
- Selectman Williams moved to approve the regular meeting minutes of February 12<sup>th</sup>; Selectman Dziczek seconded; all aye.

4. Town official updates – none.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

5. Committee reports.

- Selectmen Dziczek, Gildea and Williams had none.
- Selectman Rozanski noted she would be attending an upcoming SWAP meeting and MAPC meeting.

6. Administrator's report.

- With reference to action item 8.b, Mr. Hartman stated that Town Counsel had concluded negotiations with the O'Toole's attorney and have settled on \$412,000 for the property at 84 Summer Street, allowing the Town access during the six months they would still be living there. This amount covered all considerations including moving expenses, and Town Counsel was now looking for a vote from the Board to approve the purchase of the O'Toole property. Selectman Johnson asked if an executive session was in order, but Mr. Hartman stated that in checking with Town Counsel, it has been finalized so it's a public matter now. Selectman Johnson said the Board would not vote on this tonight and wanted to see the purchase and sale agreement.

Selectman Rozanski questioned if Town Counsel agreed to this without asking the Board? Mr. Hartman explained if the Board votes to purchase the property, they would be passing papers on March 12<sup>th</sup>. If the Board does not agree, it does not happen. He explained this represented an agreement between attorneys, and Town Counsel will be looking for instructions from the Board. Selectman Dziczek stated it has been negotiated, the Town needs the land, so he asked the Board to move on this and proceed taking the subject up next week as suggested. Selectman Williams agreed.

Selectman Rozanski questioned if an appraisal was done, engineering studies, was the accessible feasible. She wanted documentation showing the road can go there before they bought the property. Mr. Hartman had the appraisal, but not the engineering study believing the architect was in possession of that, and had their approvals from ConCom. With regard to the property, he noted it could be a friendly taking with the purchase and sale agreement, and would get clarification from Town Counsel.

7. Discussion items.

- a. Selectman Williams read the by-law changes he was suggesting. He noted one of the main points of contention recently has been the appointment of the Town Accountant, which the by-law implies although it is not stated specifically. He felt this was a key position so the appointment should be done by the Board of Selectmen with the Town Administrator and maybe the Treasurer/Collector.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

Selectman Johnson recalled the former Town Accountant's letter stating most Town Accountant appointments are done by the Selectmen. Now we are discussing making changes after Article 23 was passed. Selectman Dziczek did not see the reason for making any changes and asked for specifics. Selectman Johnson stated there needed to be a separation, while Selectman Rozanski said the Town Account is not a named position, and this would specify it one way or another.

Wendy Rowe was in attendance and noted she was on the committee that drafted the Town Administrator by-law, and it was absolute that the Town Accountant was to be appointed by the Town Administrator, with the Board of Selectmen to appoint the Treasurer/Collector. She had discovered that, in some towns, people did not want to deal with the Accountant and the Treasurer/Collector as equals being appointed by one in the same.

Mr. Hartman clarified that the data that the former Town Accountant submitted was designed to see her point of view. According to the MMA, more than one-half are appointed by the Town Administrator, not the Board of Selectmen. Selectman Dziczek asked if the Town Accountant was appointed by the Board of Selectmen, how could expect the Town Administrator to take care of any problems there? Selectman Johnson, in turn, asked how could one person have more knowledge than five collectively? Referring to veto,

Selectman Williams felt that was good to have in place; however, Mr. Hartman noted that the document he referred to from Wareham stated the Board had the right to reject, but not modify appointments. The right to reject was quite common, but you are not defining, modify.

Selectman Johnson stated this was a first reading. At this point, Selectman Williams moved to submit the article for the annual town meeting warrant; Selectman Rozanski seconded; aye.

Selectman Williams went to the second article which would revert the personnel director authority back to the Board of Selectmen, but the Town Administrator would oversee the plan, and moved to submit the article for the annual town meeting warrant; Mrs. Rozanski seconded. In discussion, Selectman Williams stated they would not be involved with the day to day administration, yet still involved with personnel and staffing, but would not be meddling.

Selectman Dziczek was against the submittal of this article as he had been involved in this area before, and it was dangerous area. It should be left in one person's hands, and they should not be involved with personnel matters. Selectman Johnson ruled him out of order.



MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

From a professional perspective, Mr. Hartman stated this was a giant step backward as they run the risk of mistakes at that level by being left in the hands of volunteers, which ultimately, the Selectmen were. Selectman Rozanski noted other towns have a personnel board. This puts some play back in and forces communication between the Town Administrator and the Board of Directors, with the Board of Selectmen being the CEO's. Back to the motion, aye.

b. Selectman Williams brought up the request of Joseph Modica referencing mailbox damage. He did not feel there was anything they could do, but note the only reason he was complaining was that he was not given a polite answer. Mr. Hartman acknowledged that Highway was working on public relations skills.

c. The first reading of the policy for use of public buildings was held over to next week.

8. Action items.

a. already done.

b. already done.

c. Selectman Williams moved to appoint Virginia Calapa as citizen-at-large to the Community Preservation Act Study Committee; Selectman Dziczek seconded; Selectmen Gildea and Rozanski aye; Selectman Johnson no.

d. already done.

e. Selectmen Williams moved to sign the Tata & Howard agreement not to exceed \$24,000 for engineering work at the Industrial Park; Selectman Rozanski seconded. Mr. Hartman noted that they had identified four alternatives and can now do the preliminary engineering on all four and determine which direction they should go, all as part of the Ready Resource grant. He also noted there is different permitting involved here, and as part of the scope, will file ENF, but no topo, survey or test pits as an engineering firm might have to do that. They will invoice monthly and finish in 120 days with his Notice to Proceed issued in the morning to begin as soon as possible. All aye on the motion.

f. Selectman Williams moved to approve the solicitor's permit for KJP Advertising Partners for Papa Gino's for the month of March; Selectman Dziczek seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 26, 2001

9. Communications/correspondence/informational items.

- a. Mr. Hartman's departure from the Town of Medway on March 2<sup>nd</sup> was noted with a thank you letter signed by the Board which Selectman Williams read. Selectman Dziczek then read the press release announcing residents were welcome to stop by and wish him well on March 1<sup>st</sup>.

10. Upcoming dates of Selectmen's meetings were read.

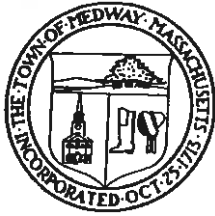
11. Executive session.

11:35 p.m. -Selectman Johnson moved the Board adjourn to executive session, not to return session, for reason #2, to consider discipline or dismissal of, or complaints or changes against, a public officer, employee, staff member or individual, and Mr. Hartman noted the individual has been informed of his rights; Selectman Williams seconded; all aye. The vote: Selectman Dziczek – yes; Selectman Williams – yes; Selectman Rozanski – yes; Selectman Gildea – yes; Selectman Johnson – yes.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
3/26/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**ROOM 111 OF MEDWAY HIGH SCHOOL**  
**FEBRUARY 12, 2001**

- 6:00 p.m. - Open meeting.
1. Sign warrant.
  2. Approval of minutes.
    - Budget hearing minutes of January 16<sup>th</sup>, January 20<sup>th</sup>, 25<sup>th</sup>, 27<sup>th</sup>.
  3. Public comments.
  4. Town official updates – none.
  5. Committee reports.
  6. Administrator's report.
  7. Discussion items.
  8. Action items.
    - Approve solicitor's permit for Michael Manski on behalf of Community Church's food drive.
  9. Communications/correspondence/informational items.
  10. Upcoming Selectmen's meetings – February 26<sup>th</sup>.
  11. Executive session (if required).
- 7:00 p.m. - Adjourn to special town meeting in auditorium.

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: ARB

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 12, 2001

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

6:05 p.m. – Meeting was opened in Room 111 of Medway High School.

Warrant #33 was signed in the amount of \$894,855.36.

Approval of minutes was postponed to the next meeting.

As Chairman of the Sithe Negotiating Committee, Selectman Rozanski reported that the Selectmen had met jointly with the Sithe Negotiating Committee on Saturday, February 10<sup>th</sup>, and approved the Pilot Agreement with Sithe. Selectman Johnson noted he called various interested individuals, i.e. Finance Committee Chairman John Collett and School Director of Operations and Finance David Verdolino, to let them know before special town meeting that agreement had been reached. Selectman Rozanski said she had called Chairman Jan Morris of the ZBA, a representative on the Community Preservation Act Study Committee, and tried to reach Chairman Diane Borgatti of the Planning Board. The general consensus was that this was a job well done by all.

Motion was made and carried to approve a solicitors permit for Michael Manski on behalf of the Community Church for a food drive on Saturday February 24<sup>th</sup> from 8 a.m. to 4 p.m. going door-to-door.

Wendy Rowe, Chairman of the Library Trustees, stopped in to elaborate further on the water infiltration problem at the library that occurred after the snowstorm on February 5<sup>th</sup>. She noted the Town's insurance adjuster was meeting that day with Library Director Susan Brennan to assess the damage.

Motion was made and carried for the Board to sign the ballot election notification for February 26<sup>th</sup>.

Two letters received from residents on mailbox damage will be discussed at the next meeting.

It was noted that a previously announced legislative breakfast with Senator Magnani and Representative Loscocco had been postponed to Friday, February 23<sup>rd</sup> at 10 a.m. at the Senior Center.

The Board acknowledged receipt of a 21E notification for 42 Summer Street, to the attention of Arthur Placido, President of Placido Realty, LLC. Mr. Hartman clarified that Dunkin Donuts was required to submit a release notification form (RNF) to DEP as part of the site plan process, and now have 120 days to take responsibility and act on the notification. The notification indicates the presence of oil in the soil and groundwater at concentrations that exceed the applicable reportable concentrations, and is therefore,

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 12, 2001

considered a disposal site and requires cleanup. This was observed through monitoring wells placed in the area of the site.

Mr. Hartman asked for approval to go ahead with hiring a consulting group to assist in the search process for a Town Administrator with the Selectmen and Search Committee. Motion was made and carried to go along with Mr. Hartman's recommendation to engage MMA Consulting Group, Inc. with a scope as outlined in the middle tier of the three suggested scopes. This tier includes the initial screening of candidates, telephone interviewing of potential candidates, and assisting the Search Committee in the conduct of candidate interviews. Mr. Hartman assured the Board that the cost will not exceed \$5,000, and that three ads had been sent in to publications today.

Motion was made and carried to open the warrant today, February 12<sup>th</sup>, for the annual town meeting on May 14<sup>th</sup>. Motion was made and carried to close the warrant on March 2<sup>nd</sup> at 1:00 p.m.

6:35 p.m. – Meeting was adjourned to the special town meeting in the auditorium.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/24/01

MINUTES OF JOINT SELECTMEN AND SITHE NEGOTIATING COMMITTEE  
MEETING

FEBRUARY 10, 2001

Preface: The Administrative Services Assistant was not in attendance for this meeting, however, since the Sithe Negotiating Committee has approved these minutes of that meeting submitted by Mr. Musmanno, these minutes are submitted to the Board of Selectmen for approval as well. (Note: there was not a quorum of the Selectmen).

"Meeting called to order at 7:10 p.m.

In attendance: Raphaela Rozanski, Harry Johnson, John Creighton, Michael Hartman, Joe Musmanno, Ray Miyares.

Mr. Miyares distributes copies of agreements, and gives an overview of the agreement (and some history of negotiations) to attendees.

Highlights of resolutions of items from Wednesday:

- Sithe agreed to make the first payment 30 days after start of commercial operations.
- Sithe did not agree to allow any taxation with delays in the construction schedule. Delays could result in loss of payment for period prior to commercial operation.
- Sithe is identifying a 7-acre plot of land to be associated with the new facility.
- Sithe intends to convey a parcel of land not to exceed 4.5 acres. Land will be credited against the 10<sup>th</sup> year HCA payment.
- Sithe is obliged to tie into town sewer, but there are several clauses which will allow them to abandon that item.

Mr. Musmanno raises concerns about zero-value status during construction phase. He moves to direct Mr. Miyares to attempt to modify HCA to change the effective period defining commercial operations to either the Date of Commercial Operations (as defined previously), or June 30, 2004, whichever occurs first. Mr. Creighton seconds. Vote: Musmanno, Creighton, Rozanski, Johnson in favor; Hartman opposed.

Mr. Creighton moved to recommend that the Board of Selectmen accept PILOT with exhibits A and B. Mr. Johnson seconds. Vote: unanimous.

Mr. Harman moves to recommend that the Board of Selectmen accept HCA, along with its contingency forms (i.e., notwithstanding two outstanding possible changes of start date definition and driveway access to the donated land). Mr. Creighton seconds. Vote: unanimous.

Mr. Johnson moved to adjourn. Mr. Musmanno seconds. Vote: unanimous.

Adjourned 9:15 p.m."

Respectfully submitted,  
M. J. Fredette  
Administrative Services Assistant

APPROVED  
3/26/01

W. A. B

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 6, 2001

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

7:05 p.m. – Tonight's meeting in Sanford Hall of Town Hall was to be a joint meeting between the Finance Committee, the Town Administrator and the Board of Selectmen to discuss, in summary, the budgets that have been approved by the Selectmen and forwarded on to the Finance Committee for their review and recommendation. However, because last night's Selectmen's meeting was cancelled due to a snowstorm, some issues that were on that agenda needed to be discussed and possibly resolved this evening. Finance Committee Chairman John Collett expressed concern that the joint meeting was being delayed so the Selectmen could conduct their business, believing that could have been done once their joint meeting had concluded. The FinCom members left Sanford Hall to wait a short period of time in another room.

The Board first of all met with Treasurer/Collector Marjorie Sanford to have notes signed for the borrowing of funds. Motion was made and carried to approve and sign notes for: one bond anticipation note for land acquisition for \$1,604,000 through Fleet Bank at an interest rate of 3.69% amounting to \$4,378.26, for a total principal and interest of \$1,608,378.26; a second bond anticipation note for planning bonds for \$450,000 through Fleet Bank at an interest rate of 3.79% amounting to \$17,055, for a total principal and interest of \$467,055. Town Clerk Maryjane White was present for certification.

Warrant #32 was signed by the Board in the amount of \$1,977,295.31, after a voucher in the amount of \$355,000 was deleted from the total warrant which amounted to \$2,332,295.31.

At this point, the Board discussed volunteers who had submitted their names to be on the Town Administrator Search Committee. Ms. Fredette had presented the names of: Tony Biocchi, Frank Varrichione, Linda McCarthy, Scott Heagney, Mary O'Leary, and Paul Wilson. Board members presented the names of: Wayne Vinton, Jan Morris, Maryjane White, Marjorie Sanford, and Allan Fraser. Raphaela Rozanski offered to be on the committee if the Board so wished to appoint her. Mrs. O'Leary had eventually withdrawn her name, and Allan Fraser was disqualified as being on the FinCom prohibits his serving on any other committee. Motion made and carried to close nominations.

Selectman Dziczek selected five: Frank Varrichione, Scott Heagney, Paul Wilson, Jan Morris, Marjorie Sanford.

Selectman Johnson selected five: Scott Heagney, Marjorie Sanford, Jan Morris, Raphaela Rozanski, Maryjane White.

Selectman Rozanski selected: Jan Morris, Marjorie Sanford, Maryjane White, Paul Wilson, and herself.

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 6, 2001

Selectman Williams selected: Jan Morris, Maryjane White, Wayne Vinton, Marjorie Sanford, Paul Wilson.

Mr. Hartman suggested if two department heads are chosen, consideration should be given to one being elected and one being appointed.

In selecting those that received the most votes, the following were chosen: Paul Wilson, Marjorie Sanford, Jan Morris, Maryjane White. To choose the final member, the Board voted again: Selectman Dziczek – Scott Heagney; Selectman Johnson – Raphaela Rozanski; Selectman Rozanski – herself; Selectman Williams – Raphaela Rozanski.

Motion was made and carried to table any further discussion on the Search Committee until Saturday, February 10<sup>th</sup>'s meeting.

7:45 p.m. – Finance Committee members John Collett, Carla Cataldo, Steve Forbes, Mike Creed, Kristen Diebus, Joni Sheridan, Jay Leader and Dawn Boyan joined the Board.

Mr. Hartman passed out his revised summary budget status sheets including latest revenue numbers.

Police Chief David Lambirth was in attendance as well to ask reconsideration of his FY'02 budget to include additional costs for personnel to attend the police academy in anticipation of three future retirements as a long process. Mr. Hartman agreed with the Chief, after reviewing a graph which indicated a more specific timeline, and as such was recommending an additional \$40,000 in the salary line item and \$4,000 in the expense line item.

Motion was made and carried to adjust the previously approved salary line by an additional \$40,000, and expense line by an additional \$4,000, for a total amended police budget of \$1,375,127 to \$1,419,127.

Chairman John Collett voiced his disappointment that the Board was not looking at the total picture of a projected \$1.4 million shortfall based on projected revenues and expenses. He thought the Selectmen would be more involved in the budget process, instead of basically rubber-stamping what had been recommended. Looking at the figures, the possibility existed of another potential override, and with the new high school this year, an override would not pass. He felt the Board needed to be more responsible and more involved with the budget, as they were voted in office for a reason. They expect the Selectmen to be more a part of the process, without having to ask them to be aware of that fact.

Selectman Dziczek thought that the subcommittees would be advising the Selectmen as to what their review would indicate.



MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 6, 2001

Mr. Leader stated the FinCom needs some guidance. They need the elected officials to tell them where the adjustments need to be made, or are they leaving the decisions to be made to the appointed volunteers?

Mr. Hartman explained that revenue figures were not available until Saturday, January 27<sup>th</sup>. However, he asked if the Town side was continually going to be underfunded so that the school side could be more adequately funded?

Ms. Boyan asked if there should be more meetings between subcommittees and Selectmen, feeling that today was not the right time to vote on any budgets? She still believed that most think the new process is working as they were already a month ahead of last year's schedule.

Ms. Diebus requested a list of new positions being asked for this year and the amount of money to fund those positions. Additionally, Ms. Boyan asked for the number of hours to be worked.

Ms. Cataldo believed the general feeling last year was that the FinCom were the bad guys, especially if they voted against what staff had recommended.

Selectman Johnson suggested they look at where larger percentages of increases were requested as the exceptions.

Mr. Leader, as the education subcommittee chairman, would tell the Superintendent to look at \$16.6 million as his goal, Mr. Hartman's recommendation. To get to a balanced budget, he would then suggest bringing a budget to the FinCom of level service. Then, if they have to go lower than the level of service, they want the Selectmen to tell them where to cut.

Mr. Hartman again stated he did not feel it was fair that the municipal departments are always being asked to live with what they have. Mr. Collett agreed what should be looked at is level service and adequate service.

Mr. Leader commented he did not sign up on the FinCom to determine priorities. He believed his role was more as a member of a Board of Directors for FinCom, and was feeling uncomfortable with the position he was being placed in.

Mr. Hartman believed that coping with growth has impacted more than just schools, but other Town services as well.

Selectman Dziczek suggested looking at other ways of sharing public safety management. Sgt. Bob Saleski was also present, and provided additional information to that type of situation. He indicated if an officer is transferred from another Town, he brings with him, after one year, all of the benefits and seniority he originally had. Add to that, vacation time, sick time and professional development. He stated that the officers

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 6, 2001

all start in the police/fire communications center, and work their way up. It wouldn't be fair not to look at them for advancement.

Selectman Rozanski added a reminder that the Town would be funding the school resource officer in the fourth year as part of the grant agreement.

Ms. Cataldo thought that the only piece missing from the picture was feedback from the community, which they were not getting.

Ms. Diebus did not want the Board of Selectmen to say that the revenue numbers were wrong like last year; she wanted agreement between them this year.

Mr. Collett reminded the Board of their goal of March 15<sup>th</sup> for a final approved annual town meeting warrant so FinCom can see the impact of warrant articles on the budget. He also wanted to know the Selectmen's opinion on CIPC recommendations. Mr. Hartman noted the \$1.4 million shortfall figure includes \$1.0 million of CIPC items.

Mr. Collett stated he would like to finalize revenue figures with Barry Heller of the FinCom, Mr. Hartman, and members of the Board of Assessors. Mr. Hartman said he would contact John Creighton, Chairman of the Board of Assessors. Tuesday, February 13<sup>th</sup> at 7:00 p.m. was agreed upon for this discussion.

Mr. Collett also suggested a joint meeting between the FinCom, the Selectmen and Mr. Hartman for Wednesday, February 21<sup>st</sup> at 7:00 p.m. at the Police Station for further discussion of budgets, prior to Mr. Hartman leaving.

9:25 p.m. – Meeting adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01




**OFFICE OF TOWN ADMINISTRATOR**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281

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

February 6, 2001

To: Board of Selectmen  
Finance Committee

From: Michael Hartman 

RE: Budget Status

Attached is a summary of the budget process to date. The final page includes the latest estimates for revenues and uses a "plug" number for the School Dept. for purposes of illustrating proposed revenues and expenditures. Please note that the figure for the School Depart reflects an increase of 7.5% over the current appropriation.

With the exceptions of the School Department and estimates for overlay, FY '01 snow costs, etc., the appropriations displayed, have all been approved by the Selectmen. As can be readily seen, significant cuts will be necessary to live within the revenues as they are currently projected.

Following a further review of the Police budget with the Chief, I am requesting that the approved appropriation be reconsidered. Attached is a graph which indicates scheduled retirements and the availability of academy slots for replacement hires. In order to maintain a proper number of patrol personnel on the street, additional funds will need to be included in the proposed FY '02 budget. Specifically, Based upon my discussions with the Chief, it is recommended that an additional \$40,000 in full time personnel costs and \$4,000 in expenses be added to the budget in order to get replacement personnel trained and ready for regular duty.

# GENERAL GOVERNMENT - SUMMARY

Department	fy '98	fy '99	fy '00	fy '01	02 request	Recommended	Approved
Selectmen / Administration	107,568	116,536	132,249	155,021	182,237	182,237	182,237
Finance Committee	106,669	104,212	104,843	107,500	107,546	107,546	107,546
Accountant	69,630	78,595	86,954	91,343	96,008	95,658	95,658
Assessors	98,404	110,768	123,823	143,743	242,682	242,682	242,682
Treasurer / Collector	169,216	172,671	189,545	199,961	206,609	206,609	206,513
Law	35,823	35,800	23,552	31,000	33,500	33,500	33,500
Information Center	36,708	32,024	41,399	43,250	51,288	52,925	52,925
Town Clerk	61,873	66,029	70,545	71,999	79,951	79,951	78,672
Elections	2,616	9,973	13,399	14,142	5,320	5,284	5,284
Registrars	5,133	3,716	4,661	6,700	7,000	7,000	5,600
Conservation	7,371	5,388	8,917	7,776	10,173	9,473	9,473
Planning	35,224	38,980	53,202	19,430	32,050	31,700	31,700
Zoning	5,389	6,366	6,294	6,113	6,690	6,690	6,690
Industrial Dev.	3,982	6,082	9,412	6,169	6,960	6,827	6,602
Building Maint.	60,305	52,976	64,504	67,908	138,450	138,450	138,450
Annual Report	1,884	2,039	2,084	2,150	2,500	2,500	2,500
CIPC	0	0	375	675	675	675	675
Debt	1,838,482	2,022,443	1,982,611	2,068,395	2,057,117	2,057,117	2,057,117
Employee Benefits	545,453	630,857	713,869	754,586	823,773	823,773	823,773
Health Ins.	895,802	1,199,594	1,796,195	1,760,000	2,145,000	2,145,000	2,145,000
Other Ins.	107,738	122,750	125,950	137,720	158,870	158,870	158,870
<b>Total</b>	<b>4,195,270</b>	<b>4,817,799</b>	<b>5,554,383</b>	<b>5,695,581</b>	<b>6,394,399</b>	<b>6,394,467</b>	<b>6,391,467</b>

2/6/01

PUBLIC & SOCIAL SERVICES - SUMMARY

Department	<u>fy '98</u>	<u>fy '99</u>	<u>fy'00</u>	<u>fy ' 01</u>	<u>02 Request</u>	<u>Recommended</u>	<u>Approved</u>
Traffic signals	1,914	2,132	2,366	3,500	3,500	3,500	3,500
Dept. Public Serv.	486,217	511,615	570,885	575,396	811,985	783,502	783,502
Snow & Ice	115,072	196,017	163,159	55,500	180,500	57,500	57,500
Street Lights	97,904	84,325	81,876	90,000	90,000	90,000	90,000
Solid Waste - trash	561,498	589,430	625,107	718,668	742,200	742,200	742,200
Other Waste	169,030	132,310	202,850	210,658	222,960	222,960	222,960
Sewer Dept.	16,346	18,723	12,958	24,226	25,912	25,912	25,912
Water Dept.	319,373	338,601	428,238	488,441	532,295	532,295	532,295
Cemetery Comm.	1,087	1,087	1,087	1,087	1,087	1,087	1,087
COA	47,350	50,643	65,328	71,061	119,574	119,574	119,574
Veteran's	5,963	6,379	6,500	7,870	8,375	8,375	8,375
Library	247,391	290,357	315,631	315,533	354,565	354,565	356,465
Recreation-summer	32,266	30,099	39,754	39,548	40,710	40,710	40,710
Camp Sunshine	16,902	17,745	20,625	21,170	25,797	23,510	23,510
Parks	104,048	98,805	115,105	113,265	170,025	140,735	140,735
Historical Com.	11,734	1,142	580	750	2,225	1,325	1,325
Memorial Com.	2,729	2,745	2,740	2,750	2,750	2,750	2,750
Tree warden	13,083	14,913	15,182	14,250	17,000	17,000	17,000
<b>Total</b>	<b>2,249,907</b>	<b>2,387,068</b>	<b>2,669,971</b>	<b>2,753,673</b>	<b>3,351,460</b>	<b>3,167,500</b>	<b>3,169,400</b>

2/6/01

PUBLIC SAFETY - Summary

<u>Department</u>	<u>fy '98</u>	<u>fy '99</u>	<u>fy '00</u>	<u>fy '01</u>	<u>02 request</u>	<u>Recommended</u>	<u>Approved</u>
Police	1,022,075	1,131,733	1,252,191	1,326,431	1,454,479	1,419,127	1,375,127 (recom. Change)
Fire	200,078	178,597	188,607	186,800	272,556	203,916	272,556
EMS	68,142	83,211	90,028	89,160	114,155	98,024	114,155
Building	82,847	84,495	92,400	103,145	126,205	114,120	114,120
Emergency Mgmt	798	561	575	800	850	850	850
Animal Control	21,885	22,625	22,378	23,001	25,973	25,973	25,973
Police/Fire Comm.	145,468	152,419	161,137	170,121	178,577	178,427	178,427
Bd. Health	58,657	63,812	70,670	64,395	83,079	83,079	88,079
<b>Total</b>	<b>1,599,950</b>	<b>1,717,453</b>	<b>1,877,986</b>	<b>1,963,853</b>	<b>2,255,874</b>	<b>2,123,516</b>	<b>2,169,287</b>
 <b>Total - town budgets</b>	 <b>8,045,127</b>	 <b>8,922,320</b>	 <b>10,102,340</b>	 <b>10,413,107</b>	 <b>12,001,733</b>	 <b>11,685,483</b>	 <b>11,730,154</b>
 School Dept.					18,984,207	16,600,000	
Tri-county					216,057	216,057	
 <b>TOTAL</b>					 <b>31,201,997</b>	 <b>28,501,540</b>	

2/6/01

REVENUES	FY1998	FY1999	FY2000	FY 2001	FY 2002	change
Prior yr. levy limit	11,790,680	12,447,903	13,421,189	14,284,953	15,119,837	834,884
plus 2.5%	294,767	311,198	335,547	357,124	377,996	20,872
plus new growth	362,456	375,800	313,310	477,760	400,000	(77,760)
Total levy limit	12,447,903	13,134,901	14,070,046	15,119,837	15,897,833	777,996
plus exclusions	971,767	969,205	914,829	449,513	750,000	300,487
Equals levy	13,419,670	14,104,106	14,984,875	15,569,350	16,647,833	1,078,483
local receipts	2,773,636	2,856,845	3,720,125	3,235,371	3,315,000	79,629
Cherry sheet (gross)	5,221,025	6,173,136	6,902,191	7,458,618	7,937,961	479,343
other available funds						
Trash receipts	624,050	632,686	647,784	727,718	742,200	14,482
other revenues	650,000	454,501				
school choice	333,529	125,000	125,000	125,000	125,000	0
Total Revenue	23,021,910	24,346,274	26,379,975	27,116,057	28,767,994	1,651,937
EXPENSES						
Gen. Govt	4,195,270	4,817,799	5,554,383	5,695,581	6,391,717	
Public/soc. Serv.	2,249,907	2,387,068	2,669,971	2,753,673	1,894,905	
Public Safety	1,599,854	1,717,453	1,877,986	1,963,853	2,176,937	
School dept.	13,053,529	14,344,729	15,051,834	15,440,000	16,600,000	
Tri county	336,568	361,243	295,726	183,513	216,057	
CIPC					1,059,797	
Other ATM articles	90,400	456,700			27,500	
STM articles	313,422					
Trash exp.	624,050	632,686	647,784	727,718	742,200	
Water	553,814				532,295	
Overlay Resv.					400,000	
State Assmt/reduc.						
Stabiliz. Resv.						
prior yr snow				104,329	112,500	
TOTAL EXPENSES	23,016,814	24,717,678	26,097,684	26,868,667	30,153,908	

Difference -projected revenues  
v. projected expenses

(1,385,914)

2/6/01

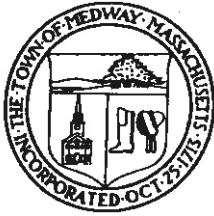
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# **TIMELINE OF KNOWN RETIREMENTS POLICE DEPARTMENT**

Number of Officers	19 7/1/01	19 8/1/01	19 9/1/01	19 10/1/01	19 11/1/01	19 12/1/01	19 1/1/02	19 2/1/02	19 3/1/02	19 4/1/02	18 5/1/02	18 6/1/02	18 7/1/02	18 8/1/02	18 9/1/02	17 10/1/02	16 11/1/02	16 12/1/02	16 1/1/03	16 2/1/03	16 3/1/03	16 4/1/03	16 5/1/03	16 6/1/03	16 7/1/03
19	Recruit Academy Must Begin																								
18																									
17																									
16	FISCAL YEAR 2002										FISCAL YEAR 2003														
	7/1/01	8/1/01	9/1/01	10/1/01	11/1/01	12/1/01	1/1/02	2/1/02	3/1/02	4/1/02	5/1/02	6/1/02	7/1/02	8/1/02	9/1/02	10/1/02	11/1/02	12/1/02	1/1/03	2/1/03	3/1/03	4/1/03	5/1/03	6/1/03	7/1/03

[REDACTED]





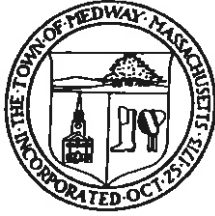
**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**FEBRUARY 5, 2001**

*Cancelled*

- 7:00 p.m. - Open meeting.
1. Sign warrant.
  2. Approval of minutes.
    - Budget hearing minutes of January 16<sup>th</sup>, January 20<sup>th</sup>, 25<sup>th</sup>, 27<sup>th</sup>.
    - Treasurer/Collector Marjorie Sanford.
    - Signing of notes.
    - Rob Raymond, Data National Corp. and Bob Heavey, Water/Sewer Commission chairman.
    - water utility billing.
  3. Public comments.
  4. Town official updates – none.
- 8:00 p.m. - Conservation Commission candidates for recommendation to Town Administrator – Brian Snow and Robert Cantoreggi (two openings exist).
5. Committee reports.
  6. Administrator's report.
  7. Discussion items.
    - Transition and recruitment of a new Town Administrator, including composition of Search Committee and potential applicants.
  8. Action items.
    - Approve solicitor's permit for Michael Manski on behalf of Community Church's food drive.
  9. Communications/correspondence/informational items.
  10. Upcoming Selectmen's meetings – February 12<sup>th</sup>, 26<sup>th</sup>.  
Upcoming budget meetings – February 6<sup>th</sup>.
  11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • Fax: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JANUARY 29, 2001**

- 7:00 p.m. - Open meeting.
1. Sign warrant.
  2. Approval of minutes.
    - Regular meeting minutes of December 11, 2000.
  3. Public comments.
  4. Town official updates – Town Accountant.
    - Update on free cash.
- 7:15 p.m. - Joe Lynch, Conroy Development.
  - Site plan approval.
- 8:00 p.m. - Millis Board of Selectmen.
  - Capacity at CRPCD.
5. Committee reports.
  6. Administrator's report.
  7. Discussion items.
    - Transition and recruitment of a new Town Administrator, including composition of Search Committee and potential applicants.
  8. Action items.
  9. Communications/correspondence/informational items.
  10. Upcoming Selectmen's meetings – February 5<sup>th</sup>, 12<sup>th</sup>, 26<sup>th</sup>.  
Upcoming budget meetings – February 6<sup>th</sup>.
  11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 29, 2001

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

7:00 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #31 was signed by the Board in the amount of \$979,112.59.

Motion made and carried to approve the regular meeting minutes of December 11<sup>th</sup>.

Town Accountant Arti Mehta stated she was resigning from her position with the Town of Medway, with her last day of work being February 2<sup>nd</sup>, and moving on to Walpole. She indicated she was leaving with the books closed on FY'00, free cash certified at \$487,000, audit for FY'00 completed and management and financial reports received. Ms. Mehta stated she had reconciled with departments and all 1099's were done. Relative to the Memorial School audit papers, she had prepared spread sheets and had them delivered to the Department of Education, noting the Town should not hear from them for a while. At this time, she passed out a survey of area towns noting, in many of them, the Board of Selectmen appointed the Town Accountant. She believed the Board might want to consider sponsoring an article to change the by-law.

7:25 p.m. – Joe Lynch of Conroy Development came to address the Board concerning site plan approval at 51 Alder Street. The Board referred to the Planning Board's letter with recommendations.

Mr. Conroy was accompanied by the civil engineer and the traffic consultant. He stated the property consisted of 25 acres, and would house a one-story 160,000 sq. ft. building, approximately 200 x 800, accommodating 630 parking spaces, and 8 loading docks. There were no specific tenants yet, but noted three separate entrances for tenants to utilize. Mr. Conroy clarified they have met with all appropriate boards, including having their drainage system reviewed by ConCom; their septic system was under review with the Board of Health; have received their certificate from EPA; and have provided funds to Mass. Highway for traffic research and mitigation.

Selectman Johnson expressed the desire to see a traffic light at the intersection of Route 109 and Trotter Drive. At this time, however, Mr. Hartman stated the traffic study done does not warrant a light, and VHB concurs – maybe down the road. Selectman Dziczek noted the hope that the 495 intersection in Milford would be completed by the end of 2001, assisting with some of the traffic problems in that area.

Mr. Hartman expressed the staff's recommendation that the Board approve the site plan with two caveats: final approval of the septic system by the Board of Health, and the Attorney General's acceptance of the new by-law allowing office uses in the industrial zoning district. This was so moved and carried, and four copies of plans were signed with those stipulations indicated thereon.

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 29, 2001

8:00 p.m. – The Millis Board of Selectmen (Tom Flanagan and Bob Orsi) came to meet with the Medway Board of Selectmen concerning additional capacity at C.R.P.C.D. Selectman Paul Jacobson was ill and could not attend. Also in attendance were Paul Wilson, Commissioner from Medway; Charles Aspinwall, Millis Town Administrator; and Bob Heavey, Chairman of the Water/Sewer Commissioners.

Selectman Flanagan stated Millis has expressed the desire to access Town sewer since they have almost reached their capacity of 500,000 gallons, and hoped that some agreement could be reached with Medway to enter into a dialogue for surplus capacity of 50,000 gallons.

Mr. Aspinwall noted in 1995, Franklin and Medway placed a moratorium on any new sewer connections, and so capacity must first be freed up at the plant. At this point, Franklin has refused to help, so they are coming to Medway, as they have used up all their options.

Mr. Heavey felt by allowing additional capacity to Millis, it might hurt Medway with enough capacity, having recently refused a developer capacity. Mr. Wilson felt the Town's sewer limit would be reached around the year 2012, but by that time, there may be thoughts of more expansion and upgrade or modification.

Selectman Johnson suggested the Board agree to form a committee of inquiry to research this issue further, to include the two Medway Commissioners, Bob McRae of the District, with Mr. Heavey and his staff taking the lead to come up with a recommendation by early spring. It was believed Mr. Aspinwall and a Selectman would represent Millis on this committee.

8:35 p.m. – Selectman Rozanski brought up a concern of three members of the Medway police force retiring in a few years, and as to how it would be handled in future budget processes with allowing new officers to be scheduled to attend the academy.

Some conversation on the Community Preservation Act Study Committee and the hope of their providing the Selectmen a recommendation by March 5<sup>th</sup> for a special town meeting warrant article on April 2<sup>nd</sup> for the election ballot on May 7<sup>th</sup>.

Mr. Hartman noted the snow budget was at a minus \$106,801 so far, and at least that amount would appear on next year's recap. He also referred the Board to his letter sent to Attorney DeCapua indicating a defective notice submission on the Fontanella property as not being a bona fide offer. Mr. Hartman also asked the Board to note the proposed job description for sanitarian for the Board of Health. They have already approved it and would like the Selectmen to do the same. Selectman Rozanski asked about impact bargaining with the union, and Mr. Hartman reiterated the funding was approved by FinCom and subsequently town meeting. He is not covered by union contract because of the number of hours worked. Selectman Johnson found it difficult to understand the need for the help. The Board asked for a letter of recommendation from the Board of Health on the position, even though the individual has been hired.

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 29, 2001

The Board brought up discussion of transition and recruitment for Town Administrator. Selectman Williams read his letter proposing a search committee be appointed, which he then presented as a motion and was seconded. He indicated his original thoughts were to have two Selectmen be on the committee, but now felt he would be comfortable with one Board member with four other townspeople, but certainly felt the committee should not have zero members. Selectman Dziczek did not feel there should be any Selectmen on the committee since the search committee would be making their recommendation of finalists to the Board anyway, and so moved that as an amended motion, which was seconded. Selectman Gildea agreed with Selectman Dziczek. However, Selectman Rozanski noted, by eliminating what Selectman Dziczek suggested be struck out, "said committee to include not more than two Selectmen", that would open up the possibility that all five members could be Selectmen.

Paul Wilson was present with three other members of the first search committee, Mary O'Leary, Chris Lorenzen, Frank Alconada, apologizing that the fifth member, David Consigli, could not be in attendance. He expressed the opinion that the Board should get help from a consultant, noting when they were assigned the complete task without a consultant, they had to review 104 resumes (his letter to the Board attached), which took six months to accomplish. He further noted the manner of the Town's operation without a Town Administrator is not the same, as it is now with one in place. He recommended leaving things the way they were for at least another three years, and then review the position. He noted, administration is what he does; cooperation is what they do together.

Mrs. O'Leary agreed with Mr. Wilson, and felt that possibly some members of the old committee should be on this one to speed the process up. She also agreed that having a Selectman on the committee might be difficult in light of all the others meetings the Board has. She, in speaking for the others, said they were willing to help and service the Town.

Ms. Lorenzen believed this committee shared one of the best experiences they ever had. They were a very cohesive group, doing an extensive job in trying to match a personality that would be acceptable to the Town. She felt if there was a Board member on the committee, it would have to consistently be the same one.

Selectman Dziczek's motion was read again; only he was in favor, the other members voted against; motion does not carry.

Back to the main motion, which was, "that the Board of Selectmen appoint a five member Town Administrator Search Committee, same committee to include not more than two Selectmen, and further to charge said committee with the sole task of recommending to the Board a list of final candidates of not fewer than three nor more than five that the Board may consider for appointment as Town Administrator"; all aye.

A second motion was made and seconded to engage a municipal consulting firm to assist and facilitate in the recruitment and hiring of a person for the position of Town Administrator. It is the Board's intention that the consulting firm shall work with a five

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 29, 2001

member Search Committee, to be appointed by the Board as required by Article 23, §23.2, in carrying out the Search Committee's charge, as directed by the Board. Mr. Hartman noted, if adopted, would be his procurement, or if the Board desired, could ask that he delegate that responsibility to the search committee. Selectman Williams stated his intention would be for Mr. Hartman to give his recommendation to the Board. With regard to the firm doing the advertising, Mr. Hartman stated the scope chosen could be for the firm to prepare and place the ad in the Beacon, the ICMA newsletter, etc. and present a slate of finalists to the Board. He noted the ICMA newsletter was a national publication and circulation is nation-wide. It all depends on what is in the scope, and that drives the price, but believed it would be a waste of money if they did not screen the applications.

Selectman Williams asked if they could advise the Board on names of interim administrators that could quickly come in? Mr. Hartman believed a list would be readily available.

Mr. Hartman said he would come up with three possible different scopes, and as such, a choice of scopes was tabled until next week. Motion was read again and carried.

Mr. Hartman provided the Board a quick update on negotiations with Sithe.

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

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/24/01

# Medway Board of Selectmen

January 29, 2001

A motion by Selectman Williams

## Appointing a Town Administrator Search Committee

### Preface:

The present person in the position has voluntarily terminated his position. He will be gone by March 5, 2001. It will take some months to find a replacement. Among the tasks we must undertake are to better define the existing job description, if desired, propose changes, if any, to the Town Administrator bylaw (Article 23 of the General Bylaws) and to appoint a five member Search Committee as required by Article 23, §23.2. of the General Bylaws, *infra*. I believe the composition of the Committee is at our discretion.

**This motion only pertains to appointing the Search Committee (a motion to engage a consulting firm to assist in recruiting and hiring will be made separately).**

In recognition of the need to go forward with finding a Town Administrator, I recommend the following action by our Board:

I move . . .

. . . that the Board of Selectmen appoint a five member **Town Administrator Search Committee**, said committee to include not more than two Selectmen, and further to charge said committee with the sole task of recommending to the Board a list of final candidates of not fewer than three nor more than five that the Board may consider for appointment as Town Administrator.

### Section 23.2 Vacancy in Office

Any vacancy in the office of the Town Administrator shall be filled as soon as possible by the Board of Selectmen. The Board of Selectmen shall appoint a **five member search committee** who shall be responsible for the initial screening of all applicants and recommend to the Board of Selectmen finalists for the position. Pending appointment of the Town Administrator, or the filling of any vacancy, the Board of Selectmen shall, within a reasonable period of time, appoint some other qualified person to perform the duties of Interim Town Administrator.

# Medway Board of Selectmen

January 29, 2001

A motion by Selectman Williams

## Engaging the Services of a Search Firm to assist in the recruiting and hiring of a Town Administrator

### **Preface:**

The present person in the position has voluntarily terminated his position. He will be gone by March 5, 2001. It will take some months to find a replacement. Among the tasks we must undertake are to better define the existing job description, if desired, propose changes, if any, to the Town Administrator bylaw (Article 23 of the General Bylaws) and appoint a five member Search Committee, and, as I move below, to engage a search firm..

This motion only pertains to engaging a search firm (a motion to appoint the five member Search Committee as required by Article 23 will be made separately). I believe such a firm would be helpful to this Board and the appointed Search Committee in defining the kind of person we and the Town need, and in getting that person to Medway.

In recognition of the need to go forward with finding a Town Administrator, I recommend the following action by our Board:

Be it moved:

... that the Board of Selectmen engage a municipal consulting firm to assist and facilitate in the recruitment and hiring of a person for the position of Town Administrator. It is the Board's intention that the consulting firm shall work with a five member Search Committee, to be appointed by the Board as required by Article 23, §23.2, in carrying out the Search Committee's charge, as directed by the Board.

### **Section 23.2 Vacancy in Office**

Any vacancy in the office of the Town Administrator shall be filled as soon as possible by the Board of Selectmen. The Board of Selectmen shall appoint a five member search committee who shall be responsible for the initial screening of all applicants and recommend to the Board of Selectmen finalists for the position. Pending appointment of the Town Administrator, or the filling of any vacancy, the Board of Selectmen shall, within a reasonable period of time, appoint some other qualified person to perform the duties of Interim Town Administrator.



BOARD OF SELECTMEN,

THESE ARE THOUGHTS OVER WHAT YOU HAVE TO DO IN APPOINTING A FIVE MEMBER COMMITTEE TO FIND A NEW ADMINISTRATOR.

I WAS THE CHAIRMAN FOR THE COMMITTEE WHICH BROUGHT MICHAEL TO THE BOARD OF SELECTMEN. THREE MEN, TWO WOMEN, RANGING FROM YOUNG TO OLD BUT ALL WITH COMMON SENSE AND A GOOD IDEA OF WHAT WAS NEEDED FOR THE OFFICE AND THE TOWN.

IF YOU'RE GOING TO DO THIS JOB YOURSELVES WITHOUT HELP FROM MMA, THEN I WOULD SUGGEST THAT YOU APPOINT FIVE MEMBERS WITH THAT KIND OF SMARTS AND DIFFERENT AGE AND SEX. IF YOU'RE GOING TO DO IT WITH HELP FROM MMA, YES, ONE OF THE COMMITTEE MEMBERS COULD BE A SELECTMAN.

TO BE A COMMITTEE MEMBER, YOU WILL BE HAVING WEEKLY MEETINGS TO GO OVER RESUMES SENT TO YOU, TO MAKE TIME APPOINTMENTS, TO LISTEN TO APPLICANTS, TO DISCUSS THE APPLICANTS DECIDING WHETHER TO ASK THIS PERSON BACK FOR MORE DISCUSSION.

THIS ALL TAKES TIME.

YOU HAVE TO REMEMBER THAT WHEN MICHAEL GOES, YOU ARE GOING BACK TO BEING WITHUT ANY HELP! FURTHER, THE CIRCLE OF HELP AND INFORMATION THAT HE HAS BEEN FORMING AROUND APPOINTED AND ELECTED BOARDS WILL NOW SLIP AWAY BECAUSE OF THE EMPTY SEAT.

YOU HAVE SPOKEN ABOUT PERHAPS MAKING CHANGES IN THE ADMINISTRATIVE BYLAW THAT THE TOWN PASSED BEFORE MICHAEL CAME. IF YOU DECIDE TO MODIFY THAT BYLAW, YOUR SEARCH COMMITTEE WILL NOT BE ABLE TO SHOW ANY OF THE APPLICANTS WHAT THEIR RESPONSIBILITIES WILL BE.

MMA GAVE US THAT BYLAW AND IT REFLECTS WHAT THE TOWN ADMINISTRATOR IS SUPPOSED TO BE DOING. AS SELECTMEN, YOU WILL NEVER APPROVE OF ALL THE APPOINTMENTS MADE BY THE ADMINISTRATOR NO MATTER WHO IT IS. NEITHER WILL THE TOWNSPEOPLE EVER APPROVE OF ALL THE APPOINTMENTS THAT WOULD BE MADE BY THE BOARD OF SELECTMEN.

IT TAKES TIME TO ADJUST TO THE CHANGE WHEN YOU HAVE AN ADMINISTRATOR. WE NEEDED THIS OFFICE TEN YEARS AGO. WE, MEDWAY, WERE THE LAST TOWN IN THIS AREA TO FINALLY MOVE TO THIS CHANGE. OUR NEIGHBOR, MILLIS, HAS HAD A GENTLEMAN FOR ALMOST TEN YEARS AT \$76,000 PER YEAR. THEIR POPULATION IS

APROXIMATELY 9,000 PLUS OR MINUS. AND WE ARE ? 13,000 PEOPLE AND GROWING. BE AWARE THAT A GOOD REPLACEMENT WILL NEED AS MUCH MONEY AS MICHAEL GETS NOW OR MORE. THE NEED IS THERE. WE ARE SPENDING 25 MILLION PER YEAR AND THIS MUST BE DONE WELL IF THE TOWN IS TO KEEP ITS TAX RATE STEADY. EVEN FIVE SELECTMEN WILL NOT BE ABLE TO COPE WITH THE NEEDS OF ITS DEPARTMENT WITHOUT HELP. NEEDLESS TO SAY IT'S YOUR CHOICE. BUT I WOULD REMIND YOU OF TIME. YOU SHOULD HAVE SOMEONE HERE BY EARLY NEXT FALL SO THAT THE ADMINISTRATOR WILL HAVE TIME TO LEARN HOW THE TOWN IS OPERATING AND GET READY TO PUT 2002 BUDGET TOGETHER.

THE SEARCH COMMITTEE SHOULD HAVE ABSOLUTE PRIVACY IN ITS WORK UNTIL IT HAS DECIDED WHICH OF PERHAPS TWO CANDIDATES WILL BE PRESENTED TO THE BOARD OF SELECTMEN. THE PRIVACY PROTECTS THE INFORMATION GIVEN TO THE SEARCH COMMITTEE BY APPLICANTS AND PREVENTS PRESSURE COMING TO THE COMMITTEE FROM PEOPLE, PRESS AND ELECTED OFFICIALS.

IF THE COMMITTEE CAN MEET SOMEWHERE IN THE TOWN THAT IS PRIVATE FROM THE PEOPLE, IT WOULD BE WISE BOTH FOR THE COMMITTEE AND FOR THE APPLICANTS.

I AM SURE T HAT YOU ALL WILL DO THE RIGHT THINGS. GOOD LUCK AND SOON.

PAUL WILSON

(note: this was handwritten by Paul-he asked if I could type it so it was "readable"-mj)

John thought you  
might like to

see Paul's

handwritten letter

(I kind of like

his handwriting!)

Ed & Helen

These are thoughts not what  
you have to do in appointing a  
five member committee & find a  
new administrator

I was the chairman for the  
it committee which brought ~~the~~  
Michael to the 9319 Helms. These

men, have women, married from young  
to old had all with common sense  
and a good idea of what was needed  
for the office & the town.

If you're going to do this job

your advice without help from M.M.D.  
then I would suggest that you appoint  
a member with that kind of sense  
and different age & sex. If you  
going to do it with help from M.M.D.  
go one of the committee members  
could be a volunteer

To be a committee member

you will be having weekly meetings  
& go over meetings sent to you & to  
make time appointments to listen to

applicants, to discuss the applicants  
to decide whether to ask this person  
back for more discussion.

This all takes time

you have to remember that when  
Michael goes, you are going back to being  
without any help! Further the circle  
of help and information that he has been  
forming around appointed and selected  
wards will soon slip away because of the  
empty seat.

You have spoken about perhaps  
making changes in the administrative by law  
that the town passed before Michael came  
If you decide to modify that by law your  
search committee will not be able to  
show any of the applicants what their  
responsibility will be.

MM A gave us that by law and  
it reflects what the Town and minister  
is supposed to be doing. As ~~selection~~  
you will never approve of all the appointments  
made by the administrators no matter who  
it is. Whether with the Town's people  
even approve of all the appointments that  
would be made by the board of selection

It takes time to adjust to the change  
when you have an administrator. We  
needed this office 10 years ago. We, Mayor  
were the last town in this area to finally  
move to this change. Our neighbor Millis  
has had a gun the man for almost 10 years.  
~~There~~ ~~population~~ at \$200 per year. Their  
population is approximately 9000 or -. And  
we are 13000 people and growing. Be  
aware that a good replacement will need  
as much money as Michael gets now  
or more. The need is there. We are approaching  
35 million people and this ~~of~~ need  
has done well if the town is to keep its  
tax ~~millions~~ steady. Even 5% reduction will  
not be able to cope with the needs of its  
dept with out help. Need has to pay, its  
year share. But I would remind you  
of time. You should have some one here  
by early next fall so that the administrator  
will have time to learn how the town  
is operating and get ready to put 2002  
budget together

appt. to

The search committee should have priority in its work, until it has decided which of perhaps 2 candidates will be presented to the B.S. of Administrators.

The primary I note the information given to the work committee by applicants and I note the ~~the~~ ~~process~~ ~~from~~ ~~business~~ I receive ~~from the~~ coming ~~from~~ & the committee from people, press, and elected officials.

2) the comments can sheet some  
info in the form that is ~~not~~ ~~not~~ ~~not~~  
~~was like the 1st laboratory or in the person~~  
~~in the school~~ private from the

c) ~~have~~ <sup>come from</sup> ~~board~~ that you tell  
will do the right thing. Good luck  
and soon.

MINUTES OF JOINT BUDGET HEARING-EDUCATION  
JANUARY 27, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dzikczek, Richard Gildea, Finance Committee sub-committee members for Education Jay Leader, Carla Cataldo, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Finance Committee sub-committee member John Collett was not in attendance.

9:10 a.m. – Selectman Johnson opened the budget hearing on Education budgets in Sanford Hall of Town Hall.

Education budgets were discussed with recommendations being made by the Town Administrator to the Board of Selectmen and Finance Committee.

Tri-County Vocational Regional Technical School District. Superintendent Jack Jones and Medway's representative Bob Heavey were in attendance. Noted were:

- an increase in Medway's enrollment from 43 to 49 students, 5.94%, and an assessment difference of \$32,544.
- this is a tentative assessment estimated since there are no state aid figures yet.
- enrollment is capped at 1000 students.
- per pupil average is lower than at Medway because of the configuration of the schools.
- they are not looking for any bond issues.
- suggestion of interchanging of students at both schools for various classes.

Motion made and carried to approve the recommendation of the Town Administrator of a tentative assessment estimate of \$216,057 as submitted by Tri-County.

Medway Public Schools. Superintendent Art Bettencourt and School Committee Chairman Charlie Myers were in attendance. Comments noted were:

- document submitted of \$19 million is a "work in progress".
- budget is what has been forwarded as requested by building principals and department heads.
- what is built into the budget is: special ed tuition, utility costs, employment contracts, projected student enrollment, technology, transportation, staffing needs, supplies and texts, professional development.
- budget presented is to maintain levels with a 5.4% increase over last year.
- present staffing has already been reduced, and no additional expenses other than not knowing if utilities or special ed tuition will go up, no additional programs; have tried bringing the students back to the district.
- predicted enrollment increase of 127 students.
- they are cognizant of limited resources.
- need to look at availability of pool of funds.
- they were already running a deficit of \$200,000 for special ed and utilities.
- discussions ensuing on longer bus runs and/or additional runs; are sharing with Millis.
- services and class size are the issues.



MINUTES OF JOINT BUDGET HEARING-EDUCATION  
JANUARY 27, 2001

- changes in special ed legislation cannot be implemented prior to the middle of the next school year (December).
- school is in favor of the "sharing concept" with the town.
- educational mission is what school department is charged with; if expenses are removed from budget, then you can focus on the actual cost of educating children better.
- budget will meet the mandate for state funding.
- professional development is specifically mandated at \$125 per student.

No motion was made at this time on the requested budget of \$18,984,207, nor on the Town Administrator's recommended budget of \$16,670,000.

Mr. Hartman passed out a revenue projection sheet to be used in correlation with the other approved budgets.

11:15 a.m. - Mrs. Rozanski moved the Board adjourn to executive session for the purpose of reason #6, value of real property; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek - yes; Mr. Gildea - yes; Mr. Williams - yes; Mrs. Rozanski - yes; Mr. Johnson - yes.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/24/01

MINUTES OF JOINT BUDGET HEARING-PUBLIC SAFETY  
JANUARY 25, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Finance Committee sub-committee member for Public Safety Michael Creed, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Finance Committee sub-committee member Allan Fraser was not in attendance.

7:05 p.m. – Selectman Johnson opened the budget hearing on Public Safety budgets in Sanford Hall of Town Hall; however, since a majority of the Board was present, some business pending before the Selectmen was discussed.

The Board reviewed the draft warrant for the Special Town Meeting to be held on February 12<sup>th</sup>:

- Article 1-Selectmen's new school architectural services-OK.
- Article 2-Selectmen's new school construction costs-OK.
- Article 3-Planning Board's change of site plan approval-OK.
- Article 4-Selectmen's renaming of regulation in industrial district II-OK.
- Article 5-Selectmen's change of height in industrial district II-OK.
- Article 6-FinCom's allocating of funds to stabilization-OK.
- Article 7-FinCom's transfer of funds to the Health Trust Fund-OK.
- Article 8-Treasurer/Collector's article for teacher-RR no; others yes-OK.
- Article 9-Selectmen's bond authorizations for rescinding-RR, JW, RG no; JD, HJ yes-not on warrant.
- Article 10-Selectmen's article to approve Sithe PILOT Agreement-OK.

Public Safety budgets were discussed with recommendations being made by the Town Administrator to the Board of Selectmen and the Finance Committee.

#201-Police. Motion made to approve the request of the Police Chief of \$1,344,229 for salaries; \$110,250 for expenses; total of \$1,454,479; not carried. Motion made and carried to approve the recommendation of the Town Administrator of \$1,264,877 for salaries; \$110,250 for expenses; total of \$1,375,127.

#220-Fire. Motion made and carried to approve the request of the Fire Chief of \$215,256 for salaries; \$57,300 for expenses; total of \$272,556. Town Administrator's recommendation of \$146,616 for salaries; \$57,300 for expenses; total of \$203,916 was not approved.

#232-Fire (EMS). Motion made and carried to approve the request of the Fire Chief of \$98,305 for salaries; \$15,850 for expenses; total of \$114,155. Town Administrator's recommendation of \$82,174 for salaries; \$15,850 for expenses; total of \$98,024 was not approved.

#241-Building. Motion made and carried to approve the recommendation of the Town Administrator of \$81,270 for salaries; \$28,000 for inspector fees; \$4,850 for expenses; total of \$114,120.

MINUTES OF JOINT BUDGET HEARING-PUBLIC SAFETY  
JANUARY 25, 2001

#291-Emergency Management. Motion made and carried to approve the recommendation of the Town Administrator of \$850 for expenses; total of \$850.

#292-Animal Control. Motion made and carried to approve the recommendation of the Town Administrator of \$25,973 for expenses; total of \$25,973.

#299-Police/Fire Communications. Motion made and carried to approve the recommendation of the Town Administrator of \$171,177 for salaries; \$7,250 for expenses; total of \$178,427.

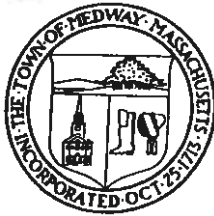
#519-Board of Health. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$61,976 for salaries; \$26,103 for expenses; total of \$88,079.

9:30 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**REVISED AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JANUARY 22, 2001**

- 7:00 p.m. - Open meeting.
1. Sign warrant.
  2. Approval of minutes – none.
  3. Public comments.
  4. Town official updates.
    - Zoning Board of Appeals Chairman Jan Morris.
- 7:30 p.m. - Municipal Building Committee.
- Update.
  5. Committee reports.
  6. Administrator's report.
  7. Discussion items.
    - Transition and recruitment of a new Town Administrator.
  8. Action items.
    - Approve and sign automatic amusement license for Medway Lotus.
    - Approve and sign appointment slip for Elsie Robinson for Affordable Housing Committee.
    - Approve and sign appointment slips for members willing to serve on the Community Preservation Act Study Committee.
    - Approve one-day beer and wine license for Republican Town Committee.
    - Open warrant this evening for special town meeting on **February 12<sup>th</sup>**; close warrant on **January 25<sup>th</sup> at 4:00 p.m.**; rough draft to Board at budget hearing on **January 25<sup>th</sup>**; Board signs warrant at the budget meeting on Saturday, **January 27<sup>th</sup>**; posting on Monday, **January 29<sup>th</sup>**.
  9. Communications/correspondence/informational items.
  10. Upcoming Selectmen's meetings – January 29<sup>th</sup>;  
Upcoming budget meetings – January 25<sup>th</sup>, 27<sup>th</sup>, February 6<sup>th</sup>.
  11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: AAB

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 22, 2001

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

7:00 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #30 was signed by the Board in the amount of \$442,753.42.

Zoning Board Chairman Jan Morris came to provide the Board an update of the ZBA's activities. He noted they were at full staff with two associate members. Selectmen Dziczek recalled a report provided last year concerning the number of petitions presented to them over the course of a year which he felt was quite informative. Mr. Morris noted the zoning by-law changes that are being incorporated into the by-laws at special and annual town meetings on a periodic basis. He also added the ZBA was still reviewing Sithe information and Deerview Meadows on a regular basis.

7:30 p.m. – Jim Hoodlet, Vice-Chairman of the Municipal Building Committee and Keith Hoffses, Project Manager of The Design Partnership of Cambridge came to update the Board, again thanking everyone for their cooperation. Mr. Hoffses stated they would be going to special town meeting with some schematic design and associated costs. They were working on the first draft of the education specifications and were meeting with the School Committee later this week. With reference to the size of the building, they felt that they were looking at a building of approximately 190,000 square feet, which includes about 23% exempt space. Exempt space being space for community use, special ed and computer space. Mr. Hoodlet noted that the School Committee has to vote acceptance of the educational specifications and preliminary floor plan, with all departments signing off. Once the specs are approved, they will go to SBA for actual approval of footage.

Mr. Hoffses stated the preliminary plan includes potential add-ons at the classroom wing ends. At this point, the \$36 million price tag is a good figure, maybe just a bit conservative. Selectman Gildea asked about a standard design, but Mr. Hoffses indicated the designer selection process basically eliminates a stockpile of various design drawings. Also, SBA encourages each Town to seek their own design. Mr. Hoodlet indicated they have to negotiate the reimbursement rates and what is best for the Town with SBA.

Mr. Hoffses presented a potential site plan rendering including parking for 400 cars, with access through the O'Toole property with a boulevard entrance approach, and a short wetland crossing. ENSR was doing the wetland flagging, an appraisal of the O'Toole property was being done as well as a topo by VHB, layout of the property lines had already been done. All in all, they were presented with 50 acres of property with 30 acres being buildable.

Board members asked about certain specific features, such as a field house and a swimming pool, but they were not there yet. However, the possibility existed that those items might not be covered as a reimbursable unless the Town wanted to absorb 100% of that cost.

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 22, 2001

Selectman Dziczek reported on conversations with the Water/Sewer Department relative to Data National. He indicated DNC cannot provide certain information after fifteen months of attempting to do just that. It would be helpful to poll other departments to see if they are affected and what they were having problems with. Then, if it is determined that we are not getting what we contracted for, then bring DNC in to meet with the Board and come to a resolution and see what our legal standing is. Selectman Dziczek agrees Water/Sewer needs to get their problems resolved as they have not been able to send their water bills out.

Mr. Hartman stated the poll had already been done, and other departments had indicated no problems except for Water/Sewer. He acknowledged that some water data the software cannot provide that Water/Sewer needs, i.e. consumption, which the old software package could do.

Selectman Dziczek asked that the Board be provided all the documentation again so that DNC could speak to the Board about a resolution. It was agreed the effort would be made to bring in DNC and Water/Sewer on January 29<sup>th</sup>.

Selectman Williams congratulated Selectman Gildea on his eightieth birthday. He also noted that nomination papers for the May election were now available.

Selectman Rozanski spoke of her attendance at the MMA meeting and various workshops attended, including one on pension reform. A dividend of \$7,088 was received from MIIA, and there will be a joint conference of Selectmen in June. She also presented a draft of a policy for use of public buildings by outside groups for the Board to review.

Selectman Johnson acknowledged Selectman Gildea's intention not to seek re-election to the Board of Selectmen. He was also not sure if he would be seeking re-election. Selectman Johnson noted the "skunk issue" that permeated various Medway homes recently with various departments getting involved in cleaning that situation up. He also noted concern with the Town having to buy a van when we would be paying a fee to the MBTA and they have a van. Selectman Johnson felt this was something Representative Loscocco could follow up on.

Mr. Hartman stated we were at a deficit of \$57,000 on the snow budget heading into last weekend. He referred the Board to Town Counsel's letter to Bardon Trimount relative to Alder Street and the ongoing problems there. He indicated a \$770,000 contract which has all been paid but \$31,700 plus or minus. There were five replication areas to be done, two of which were rejected by ConCom in 1999. He hoped there would be a resolution.

Selectman Johnson noted he had not seen a letter of resignation from Mr. Hartman yet. He indicated he would provide that, with a tentative start date in Wareham of March 5<sup>th</sup>. Continuing that subject, he stated that the by-law requires a five-member search committee be formed. Selectman Johnson felt two Selectmen should be on that committee, with Selectman Williams agreeing there should be no more than two

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 22, 2001

Selectmen, and three others, with one being someone that works with the Town Administrator, i.e. maybe the Treasurer/Collector or Town Clerk.

Selectman Dziczek felt whatever was done last time worked out well, but if anyone had suggestions, to advise the Chairman – they could use guidance.

Selectman Rozanski believed now was the time to look at the by-law, the job description, and see what worked and did not work. They do need a committee to do the initial screening, but they don't have to do the advertisement.

Mr. Hartman explained how he saw the Medway ad in a national publication, and if their intent was to put the ad in a professional newsletter, it will widen the pool. He noted the Beacon is only available to those in Massachusetts. He also noted if they were going to change the expectations of the job, they need to do it before the ad is placed. He felt one issue was appointing authority believing some will not apply if the position becomes a weak administrator. Both sides ought to know what is being recruited. Selectman Rozanski referred to the Town of Franklin where many things are done with the approval of the Council, but Mr. Hartman noted there was a different form of government there, and the Town Administrator still appoints all department heads, but that the Council acts in place of a Town Meeting.

Mr. Hartman suggested, for a small amount of money, the Board can hire a firm to bring the search down to a few finalists. He noted it took the previous search committee six months to bring the total applicants from 100 down to 10-15. The firm can shorten that time frame considerably. Mr. Hartman believed the firm could help the body politic decide what they want for roughly less than \$5,000 – firms such as MMA Consulting and Bennett Associates – and involve them as much as the Selectmen wish.

Selectman Johnson asked that Board members put their thoughts down on paper for next week. Selectman Dziczek also wanted input from the residents. Selectman Johnson also recommended asking interested people to contact the office or board members if interested in serving on this search committee.

Motion was made and carried to approve an automatic amusement device license for Medway Lotus for a counter-type video trivia game. Vote was unanimous in favor, except Selectmen Williams who voted in the negative.

Motion was made and carried to appoint Elsie Robinson to the Affordable Housing Committee through June 30, 2003.

Members had come forward to serve on the Community Preservation Act Study Committee. Motion was made and carried to appoint the following to that committee through completion: Dan Hooper (Planning Board), Gwen Hendry (Historical Commission), Mark Aldrich (Park Commissioners), Dick Coakley (Housing Authority), John Creighton (Assessors), Matt Hayes (Conservation Commission), Glenn Trindade

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 22, 2001

Open Space), David Kaeli and John Ehrmanntraut (citizens-at-large). Selectman Williams noted two Towns had recently opted out - Ashland and Walpole. Motion was made and carried to approve a one-day all alcohol license for the Republican Town Committee at the Oddfellows Hall for March 3<sup>rd</sup> from 6:00 p.m. to 11:00 p.m.

Motion was made and carried to open the warrant this evening for the special town meeting to be held on February 12<sup>th</sup>, and to close the warrant at 4:00 p.m. on January 25<sup>th</sup>.

Motion was made and carried to include an article on the warrant for the remaining funds for the balance of the architectural services to complete the design of the new high school. Amount to be approximately \$3,100,000 minus the \$391,000 already appropriated = \$2,714,000.

Motion made and carried to include an article on the warrant for funds to construct, equip and furnish the new high school. Their was a new motion made and carried that the sum be amended not to exceed \$34,786,000, which is the total of \$2,714,000 and \$34,786,000 to equal the overall project cost of \$37,500,000.

Mr. Hartman clarified Town Counsel and Bond Counsel had both approved the wording for the articles and the ballot questions.

Selectman Johnson was assured the articles would include the verbage, subject to passage of the ballot questions for debt exclusion.

Motion was made and carried to approve the two ballot questions as presented, similar to the warrant articles, but not including any specific amounts and asking the Town to exempt the amounts from prop 2-1/2 to pay for the bond.

Selectman Williams brought up the request of Paul Quinn asking for reconsideration of damage to his post and mailbox during a recent snowstorm. After investigation, Selectman Williams recommended and so moved that Mr. Quinn be awarded \$18.39 in damages; motion carried with Selectmen Gildea and Dziczek voting in the negative. He felt the Board could review these issues on a case by case basis.

10:05 p.m. - Meeting adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01



MINUTES OF JOINT BUDGET HEARING – PUBLIC & SOCIAL SERVICES  
JANUARY 20, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Finance Committee sub-committee members for Public & Social Services Dawn Boyan, Diane Coulter, Steve Forbes, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Selectman Richard Gildea was not in attendance.

9:05 a.m. – Selectman Johnson opened the budget hearing on Public & Social Services budgets in Sanford Hall of Town Hall.

Public & Social Services budgets were discussed with recommendations being made by the Town Administrator to the Board of Selectmen and the Finance Committee.

#422-DPS-Traffic Control Signals. Motion made and carried to approve the recommendation of the Town Administrator of \$3,500 for expenses; total of \$3,500.

#422-DPS-Highway. Motion made and carried to approve the recommendation of the Town Administrator of \$442,652 for salaries; \$340,850 for expenses; total of \$783,502.

#422-Snow Removal. Motion made and carried to approve the recommendation of the Town Administrator of \$15,000 for salaries; \$42,500 for expenses; total of \$57,500.

#422-Street Lighting. Motion made and carried to approve the recommendation of the Town Administrator of \$90,000 for expenses; total of \$90,000.

#438-Solid Waste. Motion made and carried to approve the recommendation of the Town Administrator of \$38,150 for salaries; \$704,050 for expenses; total of \$742,200.

#439-Other Waste Collection (CRPCD). Motion made and carried to approve the recommendation of the Town Administrator of \$222,960 for expenses; total of \$222,960.

#440-Water/Sewer. Motion made and carried to approve the recommendation of the Town Administrator of \$24,812 for salaries; \$1,100 for expenses; total of \$25,912.

#450-Water/Sewer. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$236,049 for salaries; \$296,246 for expenses; total of \$532,295.

#491-Cemetery Commission. Motion made and carried to approve the recommendation of the Town Administrator of \$1,087 for expenses; total of \$1,087.

#541-Council on Aging. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$83,915 for salaries; \$95,659 for expenses; total of \$119,574.

#543-Veterans Services. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$5,775 for salaries; \$2,600 for expenses; total of \$8,375.

MINUTES OF JOINT BUDGET HEARING – PUBLIC & SOCIAL SERVICES  
JANUARY 20, 2001

#610-Library. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$255,375 for salaries; \$101,090 for expenses; total of \$356,465.

#630-Summer Recreation. Motion made and carried to approve the recommendation of the Town Administrator of \$39,710 for salaries; \$1,000 for expenses; total of \$40,710.

#631-Camp Sunshine. Motion made and carried to approve the recommendation of the Town Administrator of \$16,980 for salaries; \$6,530 for expenses; total of \$23,510.

#650-Park Department. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$106,145 for salaries; \$34,590 for expenses; total of \$140,735.

#691-Historical Commission. Motion made and carried to approve the recommendation of the Town Administrator of \$1,325 for expenses; total of \$1,325.

#692-Memorial Committee. Motion made and carried to approve the recommendation of the Town Administrator of \$2,750 for expenses; total of \$2,750.

#698-Tree Warden. Motion made and carried to approve the recommendation of the Town Administrator of \$1,350 for salaries; \$15,650 for expenses; total of \$17,000.

The Board then went back to the budgets passed at their meeting on January 16<sup>th</sup> under General Government.

#145-Treasurer/Collector. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$145,563 for salaries; \$60,950 for expenses; total of \$206,513.

#163-Registrars. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$300 for salaries; \$5,300 for expenses; total of \$5,600.

#171-Conservation Commission. Motion made and carried to approve the recommendation of the Town Administrator of \$6,773 for salaries; \$2,700 for expenses; total of \$9,473.

#189-Industrial Development Commission. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$2,662 for salaries; \$3,940 for expenses; total of \$6,602.

#911-Employee Benefits. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$823,773 for expenses; total of \$823,773.

#950-Other Insurance. Motion made and carried to approve the recommendation of the Town Administrator of \$158,870 for expenses; total of \$158,870.

MINUTES OF JOINT BUDGET HEARING – PUBLIC & SOCIAL SERVICES  
JANUARY 20, 2001

12:45 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01

MINUTES OF JOINT BUDGET HEARING – GENERAL GOVERNMENT  
JANUARY 16, 2001

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dzikczek, Finance Committee sub-committee members for General Government Joni Sheridan, Barry Heller, Kristin Diebus, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:05 p.m. – Selectman Johnson opened the budget hearing on General Government budgets in Sanford Hall of Town Hall; however, since a majority of the Board was present, some business pending before the Selectmen was discussed.

On the heels of a sources of revenue meeting last week, Selectman Johnson commented on its usefulness to the budget process.

Warrant #29 was signed by the Board in the amount of \$961,616.02.

Some items from the Selectmen's meeting on January 8<sup>th</sup> were held over to this evening for resolution.

The first item being The Design Partnership Corporation (TDPC) contract for the design of the new school. Originally, the contract presented had areas in the contract that were purposely being eliminated through means of a line through the language, and the Selectmen had requested a clean contract with those areas deleted. Motion was made and carried to authorize the Chairman to sign the contract for design services with TDPC.

Secondly, Fire Chief Wayne Vinton had asked the Board to approve his department's pursuing a grant for thermal imaging equipment which needed to be submitted by January 19<sup>th</sup>. The Selectmen had asked for a further breakdown of the actual cost of the grant, which he was providing this evening, noting \$16,500 was the camera itself, and the balance covered breathing apparatus and equipment. The Chief noted any funding above the grant award would be through the Fire budget. Motion made and carried to authorize the Chairman to sign the grant application in the amount of \$21,061.50.

General Governments budgets were discussed with recommendations being made by the Town Administrator to the Board of Selectmen and the Finance Committee.

#129-Selectmen/Administrator. Motion made and carried to approve the recommendation of the Town Administrator of \$144,387 for salaries; \$37,850 for expenses; total of \$182,237.

#131-Finance Committee. Motion made and carried to approve the recommendation of the Town Administrator of \$2,396 for salaries; \$105,150 for expenses; total of \$107,546.

#135-Town Accountant. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$92,998 for salaries; \$2,660 for expenses; total of \$95,658.

MINUTES OF JOINT BUDGET HEARING – GENERAL GOVERNMENT  
JANUARY 16, 2001

#141-Assessors. Motion made and carried to approve the recommendation of the Town Administrator of \$129,282 for salaries; \$113,400 for expenses; total of \$242,682.

#145-Treasurer/Collector. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$145,563 for salaries; expenses of \$59,550; total of \$205,113.

#151-Law. Motion made and carried to approve the recommendation of the Town Administrator of \$33,500 for expenses; total of \$33,500.

#155-Information Center. Motion made and carried to approve the recommendation of the Town Administrator of \$52,925 for expenses; total of \$52,925.

#161-Town Clerk. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$76,272 for salaries; \$2,400 for expenses; total of \$78,672.

#162-Elections. Motion made and carried to approve the recommendation of the Town Administrator as corrected of \$2,184 for salaries; \$3,100 for expenses; total of \$5,284.

#163-Registrars. Motion was made and carried to pass on this budget until Saturday, January 20<sup>th</sup>.

#171-Conservation Commission. Motion was made and carried to pass on this budget until Saturday, January 20<sup>th</sup>.

#175-Planning Board. Motion was made and carried to approve the recommendation of the Town Administrator of \$13,600 for salaries; \$18,100 for expenses; total of \$31,700.

#176-Zoning Board of Appeals. Motion was made and carried to approve the recommendation of the Town Administrator of \$4,440 for salaries; \$2,250 for expenses; total of \$6,690.

#189-Industrial Development Commission. Motion was made and carried to pass on this budget until Saturday, January 20<sup>th</sup>.

#192-Building Maintenance. Motion was made and carried to approve the recommendation of the Town Administrator of \$69,567 for salaries; \$68,883 for expenses; total of \$138,450.

#195-Annual Report. Motion was made and carried to approve the recommendation of the Town Administrator of \$2,500 for expenses; total of \$2,500.

#199-Capital Improvement. Motion was made and carried to approve the recommendation of the Town Administrator of \$600 for salaries; \$75 for expenses; total of \$675.

MINUTES OF JOINT BUDGET HEARING – GENERAL GOVERNMENT  
JANUARY 16, 2001

#700-Debt Service. Motion was made and carried to approve the recommendation of the Town Administrator of \$2,057,117 for expenses; total of \$2,057,117.

#911-Employee Benefits. Motion was made and carried to pass on this budget until Saturday, January 20<sup>th</sup>.

#914-Health Insurance. Motion was made and carried to approve the recommendation of the Town Administrator of \$2,145,000 for expenses; total of \$2,145,000.

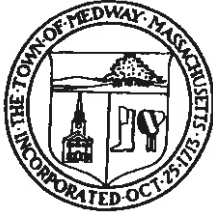
#950-Other Insurance. Motion was made and carried to pass on this budget until Saturday, January 20<sup>th</sup>.

10:10 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01



**BOARD OF SELECTMEN**  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3264 • FAX: (508) 533-3281

**AGENDA**  
**BOARD OF SELECTMEN**  
**SANFORD HALL**  
**JANUARY 8, 2001**

7:00 p.m. - *Open meeting.*

1. Sign warrant.
2. Approval of minutes – November 20<sup>th</sup>, 27<sup>th</sup>, December 4<sup>th</sup>.
3. Public comments.

7:15 p.m. - *Municipal Building Committee/Design Partnership Inc.*

4. Town official updates (none).
5. Committee reports.
6. Administrator's report.
  - Request from Fire Chief.
  - Request from Town of Millis.
7. Discussion items.
  - Establishment of a Community Preservation Act Task Force.
8. Action items.
  - Vote to overspend on snow removal budget for FY'01.
  - Approve one-day liquor license for St. Joseph.
  - Abate quarterly ambulance billings.
  - Approve the temporary use of VFW for bingo for Knights of Columbus.
9. Communications/correspondence/informational items.
10. Upcoming Selectmen's meetings – January 22<sup>nd</sup>, 29<sup>th</sup>; upcoming budget meetings – January 11<sup>th</sup>, 16<sup>th</sup>, 20<sup>th</sup>, 25<sup>th</sup>, 27<sup>th</sup>, February 6<sup>th</sup> or 8<sup>th</sup>.
11. Executive session (if required).

\* all times approximate and subject to change if necessary.  
cc: Town Clerk for posting.

cc: ALB

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 8, 2001

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

7:02 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #28 was signed by the Board in the amount of \$346,792.87.

Motion made and carried to approve the minutes of November 20<sup>th</sup>, 27<sup>th</sup> and December 4<sup>th</sup>.

Under public comments, Paul Quinn of 12 Karen Avenue asked the Board to reconsider damage done to his post and mailbox during a recent snowplowing incident. He indicated the Town's reluctance to admit to any wrongdoing, or to reimburse him for any cost he had incurred, since Town officials indicate the mailbox was on Town property and per the by-law, not reimbursable. Mr. Hartman clarified that damage to private property was, of course, reimbursable. Motion made and carried to revisit the issue if Mr. Quinn would send a letter to the Board outlining the situation.

7:20 p.m. – Jim Hoodlet, Vice-Chairman of the Municipal Building Committee, Dave Finney, President of The Design Partnership of Cambridge, architects for the new proposed high school, and Keith Hoffses, Project Manager, came to update the Board. Mr. Hoodlet expressed the gratitude of the Committee for the cooperation extended to them by all the boards. They were here this evening to ask the Selectmen to sign the contract with TDPC, and to schedule a town meeting.

Mr. Hartman outlined the process followed which brought TDPC through this stage, noting the amount of work already accomplished without a signed contract. He noted it was essentially the same contract as approved for design services relative to Idylbrook. A breakdown sheet of design and related costs was reviewed in the amount of \$391,500 even though \$450,000 had been appropriated. Some concern was noted with regard to the percentage of basic services of \$3,002,500 and the overall cost of the project of \$37,500,000 as was noted with Hopkinton, both projects being comparable. Cost of labor and accomplishing a large task in a short period of time was explained as being the main reasons.

Mr. Finney elaborated on meetings being held with the public prior to town meeting, as well as individual meetings with educators on their needs and all related boards and committees.

The Board had a problem with the contract submitted with strikeouts, and preferred a final contract with no strikeouts. They were informed that this is a standard type of contract, with strikeouts indicating those negotiated areas for full disclosure between parties.



MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 8, 2001

The Board agreed they were not ready to sign the contract tonight without a clean copy for their review and the signatures of Town Counsel and the Town Accountant. This could be done the night of January 16<sup>th</sup> as the Board was having a budget meeting that night.

Mr. Hoodlet brought up the second part of his request for the meeting, with that being to set the date of the special town meeting for February 12<sup>th</sup>, with a debt exclusion question on the ballot for February 26<sup>th</sup>. He outlined the various dates of different meetings being set up to accomplish this. It was noted this special could also accommodate articles relative to Sithe if appropriate.

Motion made and carried to hold a special town meeting on February 12<sup>th</sup>. Motion made and carried to have a debt exclusion question on the ballot for February 26<sup>th</sup>.

Arrangements were being made to ask the Zoning Board chairman to meet with the Board for an update, as well as a further follow-up with Water/Sewer.

Mr. Hartman noted the advertisement for Town Accountant was published today. Mr. Williams acknowledged the business of the week as being Shady Oaks Farm. Mrs. Rozanski asked about the EO418, and felt there were additional points that could be applied with ARCPUD, peer to peer grant, etc., and did not want us to miss any opportunities.

Mr. Hartman brought up a request from the Fire Chief for the Board to sign a grant request for \$20,819 for thermal imaging equipment. Motion made and carried to take this under advisement until January 16<sup>th</sup> pending a further breakdown on the cost from the Fire Chief.

Mr. Hartman brought up the request from the Millis Board of Selectmen to meet with the Medway Board of Selectmen to discuss additional capacity at CRPCD. Motion made and carried to set up a meeting with Millis, and to ask CRPCD and Water/Sewer to attend as well.

Mr. Hartman brought up a request from the Fire Chief with regard to Lt. Steve Reding who has requested a medical leave, but whom the Chief would like for him to still somehow continue on the department. The Board recognized his valuable contribution to the ZBA as well, which he was still serving on. Mr. Hartman did not feel it was up to him or the Fire Chief to grant the request of separation from the department. Selectman Johnson suggested the creation of the position of honorary Assistant Fire Chief for his many years of service to the Town, and for acting as Administrative Lieutenant. Motion made and carried on this proposal. A certificate and ceremony were also suggested.

With reference to internet, Selectman Williams requested pursuing the list of email addresses he had asked of the Town Accountant.

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 8, 2001

A committee to study the preservation act was discussed. Motion made and carried that a nine-member Community Preservation Act Study Committee be formed, with a member from the Housing Authority, Conservation Commission, Park Commissioners, Board of Assessors, Planning Board, Historical Commission, Open Space Committee, and two members at large. Motion was also made and carried that the committee would be established to study, develop and make a recommendation to the Board of Selectmen not later than Monday, March 5<sup>th</sup> regarding an article or articles for adoption of the Community Preservation Act at a Special Town Meeting to be held not later than Monday, April 2, 2001, and further a recommendation regarding a subsequent ballot referendum question to be placed on the Annual Town Election of May 7, 2001.

Motion was made and carried to overspend on the snow removal budget for FY'01. Mr. Hartman noted there was \$423 left out of \$55,500 going into this week's storm. Selectman Dziczek suggested Mr. Henry provide a spreadsheet indicating snow costs over the last couple of years. Selectman Rozanski asked for a monthly update from now on.

Motion made and carried to approve a one-day liquor license for St. Joseph Parish for January 13<sup>th</sup> from 9:00 p.m. to midnight for Holliston Newcomers Party.

Motion made and carried to abate quarterly ambulance receivables in the amount of \$1,280.77 for the quarter ending December 2000.

The request from the Knights of Columbus for temporary use of the VFW in Medway was brought up. The Board requested that the original letter sent to the Mass. State Lottery Commission be obtained for them and to determine if the Town should charge a fee. In the meantime, the motion was made and carried to grant the temporary change for the Kof C, Franklin for the use of the VFW for approximately four months during their renovation process. All in favor, except for Selectman Gildea who voted against the motion.

Mr. Hartman gave the Board a memo indicating his probable acceptance of the Town Administrator position in Wareham, noting it was a difficult decision. He suggested advertising for the position as soon as possible.

10:10 p.m. – Meeting adjourned.

Respectfully submitted,

M. J. Fredette  
Administrative Services Assistant  
mj

APPROVED  
2/26/01