

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 13, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson..

7:00 p.m. – Selectman Rozanski called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 as read in the total amount of \$1,572,589.95 (\$284,170.44—Town bills; \$596,417.60—New High School Building); Selectman O'Leary seconded; All ayes 5-0-0 (voted).

2. *Approval of Minutes:*

- Selectman Williams moved to approve regular meeting minutes of December 9, 2002; Selectman Musmanno seconded; All ayes 5-0-0 (voted).

3. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported that the solid waste proposal bid opening was conducted earlier during the day in Sanford Hall and that a screening committee, which includes the Health Agent, Administrative Secretary and a Board member from the Board of Health, to review all the solid waste proposal bids for final recommendation shortly. Mr. Balukonis stated that the screening committee will meet on January 21, 2003, in the Town Administrator's Conference Room to discuss the proposals and he would update the Board as warranted. Selectman Dziczek inquired as to how the RFP was structured. Town Administrator, Mr. Balukonis, stated that the RFP was structured to include proposal for both solid waste and recycling, proposals for solid waste removal, and proposals for recycling.
- Town Administrator, Mr. Balukonis, reported that the first meeting of the LEPC (Local Emergency Planning Committee) would be taking place on Thursday, January 23, 2003, at the Medway Public Library from 2:00 p.m. to 4:00 p.m.
- Town Administrator, Mr. Balukonis stated that as a result of last week's meeting with the Disability Commission, copies of Medway's Care Shelter list was included with the Board's packet for review and informational purposes.
- Lastly, Town Administrator, Mr. Balukonis, reported that Acting Town Accountant Wendy Graves, was sworn in but has not been bonded. Mr. Balukonis stated that Mrs. Graves is an elected Town Treasurer in several other towns, Millbury, Grafton and Princeton and has a strong accounting background serving in a the healthcare industry for the past seventeen years.

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6. *Reports of the Selectmen*

- Selectman Musmanno mentioned the memo from the Planning Board relative to warrant article submission and possible winter special town meeting. The Board entered into a brief discussion and Selectman Rozanski advised the Town Administrator, Mr. Balukonis, to prepare a response to the Planning Board on behalf of the Board of Selectman.
- Selectman Williams highlighted "Today in World History" facts and "This Week in Medway History" facts. Selectman Williams also congratulated Selectman Rozanski for her recent election as the President of the MMA (Massachusetts Municipal Association) recognizing all her hard work serving the Town and community. Selectman Williams also reminded the Board and residents listening that on Thursday, January 23rd a meeting of the Good Government would be held at the Medway Public Library.
- Selectman O'Leary also offered her congratulations to Selectman Rozanski for her recent election as the MMA President. Selectman O'Leary also mentioned that she attended the recent MMA Conference and was able to attend some of the informative conferences and workshops that were offered and that she also brought back some informational literature to pass on to the Finance Committee.
- Selectman Dziczek reported that the CPC (Community Preservation Committee) scheduled a public hearing on Thursday at the Senior Center and encouraged the Board members and residents to attend. Selectman Dziczek also reported that the Planning Board was scheduled to meet on Tuesday and that he submitted Town Counsel's letter for the Planning Boards review for discussion at their meeting.

7. *Report of the Chairman.*

- Selectman Rozanski thanked the Board members for congratulating her on her recent appointment as President of MMA, which she has proudly accepted and is looking forward to serve her term. Selectman Rozanski also mentioned that she attended the recent MMA conference and heard Governor Romney announce some bad news relative to upcoming budget cuts.

8. *Discussion items:*

Consideration of Special Town Meeting date and warrant articles.

- Town Administrator, Mr. Balukonis, reported to the Board members that approximately fifteen (15) warrant articles have been submitted for consideration at the upcoming special town meeting. There was a brief discussion regarding which warrant articles to place on the Special Town Meeting and the which warrants articles to place on the Annual Town Meeting.

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- Selectman Williams praised the Town Administrator, Mr. Balukonis, for his January 3, 2003, response to the Architectural Access Board and further gave an explanation of the sidewalk in question.
- Selectman O'Leary moved to open the Special Town Meeting warrant articles for February 10, 2003, and close the warrant articles on February 16, 2003 at 4:30 p.m.; seconded by Selectman Williams; All aye 5-0-0 (voted).
- Town Administrator, Mr. Balukonis, advised the Board that new contracts were being submitted relative to repairs of the school roof project for review and would require the Chairman's signature. Selectman Dziczek motioned to authorize the Chairman to sign the contracts on behalf of the Board of Selectman; seconded by Selectman Musmanno; All ayes 5-0-0 (voted).

8:30 p.m. There being no further business to discuss, Selectman Williams moved that the meeting be adjourned; Selectman O'Leary seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

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JANUARY 27, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Mary O'Leary was absent. (Selectman Musmanno was late, arriving at 7:15 p.m.).

7:00 p.m. – Selectman Rozanski called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Dziczek moved that the Board approve and sign warrants for fiscal year '03 as read by Selectman Williams in the total amount of \$784,109.45 (\$71,193.74—Town bills; \$18,102.38—Withholdings; \$1,285.62—School Department); Selectman Rozanski seconded; All ayes 3-1-1 (voted).

Approval of Special Town Meeting Warrant

- Selectman Rozanski read the Special Town Meeting Warrant and asked the Town Administrator for his recommendation.
- Town Administrator, Mr. Balukonis, recommended that all articles be presented at the Special Town Meeting scheduled for Monday, February 10, 2003. Mr. Balukonis also made the Board aware that Constable Trufant was waiting to post the warrants as soon as the Board approved and signed such.
- Selectman Williams supported the recommendation of Selectman Rozanski and Town Administrator, Mr. Balukonis.
- Selectman Dziczek thought the Board might want to wait for Selectman Musmanno's opinion regarding the Special Town Meeting Warrant Articles. Selectman Rozanski stated that the Board could not wait much longer as the Constable was waiting and the evening Agenda could not accommodate a delay.
- Selectman Williams moved to approve and sign the Special Town Meeting Warrant Articles as read by Selectman Rozanski; Selectman Dziczek seconded; All aye 3-1-1 (voted).

2. *Approval of Minutes:*

- Selectman Williams moved to approve and release executive session meeting minutes of December 9, 2003; Selectman Dziczek seconded; All ayes 3-1-1 (voted).

3. *Town Official Updates:*

Municipal Building Committee:

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- Selectman Rozanski acknowledged Municipal Building Committee Chairman, Mr. Hoodlet and asked him to come forward to present his update to the Board members.
- Mr. Hoodlet came forward and gave an overview of the existing contract with Keville. Mr. Hoodlet stated that as a result of the discussion at the Municipal Building Committee (MBC) meeting on Wednesday, January 22, 2003, the MBC was appearing before the Board for approval to extend the existing Keville contract not to exceed \$40,200; extend the DPC civil engineering services contract for \$3,000, and extend the Weaver geotechnical services contact for \$8,000. Mr. Hoodlet also stated that the Municipal Building Committee would like another opportunity to update the Board in the near future.
- Selectman Rozanski asked if a ledge evaluation had been performed prior to the start of the project.
- Mr. Hoodlet stated that a ledge evaluation had been performed prior to the start of the project; however, as the project progressed, more ledge had to be removed which caused extra delays.
- Selectman Dziczek asked how the funds required for the extensions would be procured.
- Mr. Hoodlet stated that the MBC has a contingency reserve fund that would be drawn down against.
- Selectman Musmanno asked if the MBC had discussed the extensions with Eastern.
- Mr. Hoodlet stated that the originally planned meeting with Eastern had to be rescheduled due the President being out the Country. To date, MBC had not been successful rescheduling the meeting but a request for a future meeting was standing. Mr. Hoodlet reiterated his desire to meet with the Board at a later date to fully present an updated report status of the High School Project.
- Selectman Dziczek moved to approve the \$40,200 Keville contract extension, the \$8,000 DPC geotechnical services contact and the \$3,000 Weaver civil engineering services contract; Selectman Musmanno seconded 4-0-0 (voted).

***Public Hearing—Industrial Development Commission & Water/Sewer Commission
Proposed West Medway Sewer Extension***

- Selectman Rozanski acknowledged members from the Industrial Development Commission and the Water/Sewer Commission and asked if they were ready to give their presentation. An attendance sheet was also circulated amongst the people present.

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- Mr. Glen Trindade came forward and gave an overview of what the IDC and the Board of Water/Sewer Commissioners propose to achieve regarding the possible extension of sewer service from Village Street through West and Granite Street to the Medway-495 Business Park which also included a detailed powerpoint presentation. Mr. Trindade stated that the IDC has been working to bring sewer service to the Business Park for many years and several options have been investigated such as connection to the Milford and Bellingham sewer systems, and building a small waste water treatment plant. As a result of the prior year's engineering study, it was concluded that the most desirable option would be to extend Medway's existing sewer system to the Business Park. State grant funds are available to build a portion of the sewer system servicing the Business Park, and the residential areas would be funded by the Town through a combination of general funds and betterment charge on the properties being served. Mr. Trindade also stated that the Town could generate an additional \$700,000 to \$950,000 in tax revenue per year as a result of the sewer extension project.

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4. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported
- Town Administrator, Mr. Balukonis reported
- Lastly, Town Administrator, Mr. Balukonis, reported

6. *Reports of the Selectmen*

- Selectman Dziczek
- Selectman O'Leary reported
- Selectman Musmanno.
- Selectman Williams highlighted "Today in World History" facts and "This Week in Medway History" facts.

7. *Report of the Chairman.*

- Selectman Rozanski
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11:00p.m. There being no further business to discuss, Selectman Dziczek moved that the meeting be adjourned; Selectman Williams seconded; All ayes 4-0-0 (voted).

Respectfully submitted,

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Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

MINUTES OF THE SPECIAL BOARD OF SELECTMEN'S MEETING
JANUARY 30, 2003

Present: Raphaela Rozanski, John Williams, Joe Musmanno, Joe Dziczek, Greg Balukonis, Town Administrator present, Mary O'Leary (absent).

Raphaela Rozanski called the meeting to order at 7:10 p.m. in Sanford Hall and announced its purpose being a presentation of the fiscal 2004 Public & Social Services Budget.

The Town Administrator presented budget requests submitted by departments and committees.

The Board of Selectman asked several questions of the Town Administrator and department heads who were in attendance.

All budgets were taken under advisement.

There were no votes taken by the Board of Selectmen.

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Greg Balukonis,
Town Administrator

MINUTES OF THE BOARD OF SELECTMEN'S MEETING
JANUARY 6, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. *Selectman Dziczek announced that he would be attending dual meetings of the Board of Selectmen and the CPC.*

7:10 p.m. – Selectman Rozanski called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 as read by Selectman O'Leary in the total amount of \$727,088.40 (\$430,749.09—Town bills; \$170,344.96—Withholdings; \$54,563.24—New High School building); Selectman Dziczek seconded; All ayes 5-0-0 (voted).

2. *Approval of Minutes:*

- Selectman Williams moved to approve regular meeting minutes of December 2, 2002, with amendments; Selectman Musmanno seconded; 4-0-1 (voted).

3. *Town Official Updates:*

Update of the Disability Commission activities

- Selectman Rozanski acknowledged the attendance of Disability Commission Chairman, Susan Bouchard, and members, Robert Robards, Jack Heller, Steve Bridges (and wife, Diane) and Mark Dempsey, Center for Independent Living).
- Chairman Bouchard approached the Board and presented an overview of the goals and objectives of the Medway Disability Commission and explained the American Disability Act. Chairman Bouchard mentioned some documentation forwarded to several Town departments relative to ADA concerns that went unanswered to the Disability Commission's satisfaction. Chairman Bouchard stated that same documentation had been copied to the Town Administrator.
- Selectman Rozanski asked if the documentation copied to the Town Administrator had requested his action. Chairman Bouchard noted that the documentation was sent under a "cc" mailing notation and had not specifically asked for the Town Administrator's action. Selectman Rozanski suggested that perhaps in the future steps should be taken by the Disability Commission to follow up with all parties to be ensure the proper process for requesting assistance to accomplish correct ADA specifications are being followed and that proper follow up is also noted. Selectman Rozanski stated that she did not think unanswered correspondence from the departments was intentional and believed that it was a processing issue that might require opening communication between the Town committees and boards.

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- Selectman O'Leary mentioned that the Housing Authority had previously met with the Disability Commission regarding Mahan Circle in order to comply with the ADA specifications that the Disability Commission brought to the Housing Authority's attention. Selectman O'Leary also noted that other future meetings were scheduled in order to discuss other Housing Authority ADA issues.
- Selectman Williams stated that the Building Inspector, Mr. Robert Speroni, had been very accommodating to the Disability Commission's requests and that he has been very supportive and helpful.
- Chairman Bouchard and the Board members entered into a discussion relative to some issues and areas of concern relative to several Town properties.
- Selectman Musmanno suggested that formal documentation or requests should be forwarded to various Town boards, etc. for proper action and follow up relative to the concerns brought forward.
- Selectman Rozanski suggested that committees might also be appointed to work with the Disability Commission to assist with specific items of concern. As a result of the discussion, Selectman Rozanski requested that the ADA Coordinator contact Mr. John Cicciu, Emergency Management Director, regarding use of the new high school as an emergency shelter and to request estimates for the purchase/installation of a generator unit at the new high school.
- Chairman Bouchard stated that it may be too late relative to some projects as suits had been already been filed but perhaps in the future that course should be taken and thanked the Board for their time and suggestions.

5. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported an increase in the monthly Health Insurance Budget which continues to increase and will significantly impact the Health Insurance Budget for FY03 and FY04. The increase in the Health Insurance Budget will create future funding issues which the Board needs to be aware of. Also, Mr. Balukonis reported that Board members may hear more on the Health Insurance budget issue at the upcoming Finance Committee meeting. Selectman Williams stated that in the past, an article was presented at Town Meeting requesting transfer of funds from the school budget to cover the deficit and suggested that Mr. Verdolino and Dr. Bettencourt be forewarned should that option be utilized.
- Town Administrator, Mr. Balukonis reported that Executive Order 418 scope of grant needs to be extended and will compile some recommendations. Selectman Rozanski praised the Town Administrator for his good work.
- Lastly, Town Administrator, Mr. Balukonis, reported on staffing changes within Town Hall. Mr. Balukonis reported the resignations of the Administrative Assessor/Appraiser, Mr. Keefe, effective February 21, 2003; Assistant Town

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Accountant, Ms Penny, accepting the position of Town Accountant with the Town of Blackstone, effective January 3, 2003; and the Town Accountant, Ms. Beando effective January 3, 2003. Mr. Balukonis stated that he has scheduled interviews for the Town Accountant position, has a professional consultant ready to assist with issues that might arise and has made a shuffle of existing staff to assist with keeping the Town Accounting office up to speed.

6. *Reports of the Selectmen*

- Selectman Dziczek reported that all 65 positions of the senior tax abatement program have been filled. Selectman Dziczek reported that the Community Preservation Committee (CPC) will hold a Public Hearing at the Senior Center on Thursday, January 16, 2003 at 7:00 p.m. and encouraged attendance of all interested parties. Selectman Dziczek suggested that Board members attend the upcoming Finance Committee meeting scheduled for January 8th and place the discussion of an override on the next or an upcoming Board agenda for further consideration.
- Selectman O'Leary reported that she will be attending the upcoming Affordable Housing Committee meeting and will report the ADA issues discussed with the Disability Commission.
- Selectman Williams highlighted on "Today in World History" facts and reported that the annual Helping Hands Garage Sale is scheduled for Saturday, January 18th from 1:00 to 2:00 p.m. which benefits the seventh and eighth grade classes.

7. *Report of the Chairman.*

- Selectman Rozanski reported that Governor Mitt Romney attended the last MMA meeting and announced that he and the Lt. Governor would not be accepting a salary. Selectman Rozanski stated that Governor and Lt. Governor should be commended for not accepting a salary and mentioned that being a Medway Board of Selectman is also voluntary and that the members, for the past twelve years, have served the community without a salary or stipends. Selectman Rozanski mentioned that she received several calls from residents inquiring of the Christmas tree pick up schedule and announced that the tree pick up is scheduled to commence next Saturday the 18th.

8. Discussion items:

Report on Brentwood drainage and engineering services.

- Town Administrator, Mr. Balukonis, reported that all video and cleaning work was completed on the Brentwood drainage system totaling \$8,000 which included repair to two manholes and minor pipe work. No other work is required at this stage. The Town Administrator also reported that the scope of the past study was not relevant and another RFP study of the Brentwood

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drainage system may have to be presented in the future to the Board of Selectmen.

Consideration of 2004 budget hearing dates.

- Town Administrator, Mr. Balukonis, suggested that budget hearings be completed prior to Mid-February narrowing date to around the 3rd through the 10th.

9. Action item:

Authorization to overspend FY03 snow budget.

- Selectman O'Leary moved to that the Board of Selectmen authorize the DPS Director to overspend the FY03 snow removal budget to cover expenses through the remainder of the winter season and that the Board receive snow budget status updates; seconded by Selectman Williams, All aye 5-0-0 (voted).

9:30 p.m. There being no further business to discuss, Selectman Williams moved that the Board of Selectmen meeting be adjourned; Selectman O'Leary seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

MINUTES OF THE SPECIAL BOARD OF SELECTMEN'S MEETING
FEBRUARY 4, 2003

Present: Selectmen Raphaela Rozanski, John Williams, Joseph Dziczek, Mary O'Leary, Greg Balukonis, Town Administrator present, Selectman Joseph Musmanno (absent).

Raphaela Rozanski called the meeting to order at 7:10 p.m. in Sanford Hall and announced its purpose being the Fiscal 2004 General Government Budget.

The Town Administrator presented budget requests submitted by departments and committees.

The Board of Selectmen asked several questions of the Town Administrator and department heads that were in attendance.

All budgets were taken under advisement. There were no votes taken by the Board of Selectmen.

The meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Greg Balukonis,
Town Administrator

MINUTES OF THE REGULAR BOARD OF SELECTMEN'S MEETING
FEBRUARY 10, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski (late), and John Williams, and Town Administrator, Greg Balukonis.

6:15 p.m. – Selectman Musmanno called the meeting to order prior to the Special Town Meeting at Medway High School.

Selectman Rozanski updated the Board on Medway being designated as Economic Target Area (ETA). She mentioned that Medway could not be designated as an ETA on its own. A Regional Application is being prepared by Norfolk County. Selectman Williams moved to authorize the Chairman to sign a resolution allowing submission of a regional application as an ETA (4-1-0) so voted.

Selectman Musmanno moved to approve and amendment with Paul S. Kapinos Associates in the amount of \$17,000 (5-0-0) so voted.

Selectman Musmanno moved to recommend dismissal of Special Town Meeting Articles 1 and 5 (5-0-0) so voted.

Special Board of Selectmen Meeting adjourned at 6:47 p.m.

Respectfully submitted,

Greg L. Balukonis,
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING

April 28, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was absent.

7:00 p.m. – Selectman Rozanski called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- The Board voted to approve and sign warrants for fiscal year '03 as read by Selectman O'Leary in the total amount of \$802,882.09 (\$81,314.66—Town bills; \$295,705.91—Withholdings; \$353,368.83—School Department; and \$7,602.68 Student Activities); All ayes 5-0-0 (voted).

2. *Public Comments:*

- Ms. Diane Burstein representing the Telamon Center was present. Ms. Burstein was seeking permission to conduct a public assembly at 165 Main Street.
- Ms. Burstein appealed to the Board to grant permission for the Telamon Center to conduct a Family Wellness event during the day and a Teen Dance in the evening, both on May 3, 2003. Ms. Burstein asked if the Board was aware of an alternate location where such an event may occur.
- Selectman Rozanski reviewed the procedure where she had previously responded and pointed out a public assembly was not a permitted use at the particular location and she had contacted the Town Administrator, Building Inspector and Fire Chief for their input.
- Again, Ms. Burstein inquired about an appeal process.
- Selectman Musmanno replied the matter may be referred to the Zoning Board of Appeals as the Board of Selectmen has no authority to change a decision of the Building Inspector.
- Town Administrator, Mr. Balukonis stated an entertainment license is not required for an open-house activity. His opinion is that state law is specific to entertainment which is defined as a floor show, dance or music. Mr. Balukonis believes an entertainment license is still required regardless where the dance is held.
- Ms. Burstein mentioned a dance being held at the high school instead of 165 Main Street.
- Selectman Dziczek moved to authorize Selectman Rozanski, Chairman, be designated to approve an entertainment license for the Telamon Center for May 3, 2003.

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- Selectman Musmanno suggested the decision-making authority for issuance of a license be bested in Chairman Rozanski. All other Board members indicated their agreement with Chairman Rozanski acting on behalf of the Board.
- Selectman O'Leary inquired about the expected number of participants.
- Ms. Burstein responded upward of 300 attendees during the Family Wellness event and no more than 150 persons at the Teen Dance.
- Selectman O'Leary asked about the specific location for the Telamon Events. It was noted persons will park at Choate Park.
- Selectman Dziczek mentioned the Telamon Center needs to secure prior approval of the Police and Fire departments.
- Selectman Rozanski urged the Telamon Center contact the School department about possibly holding the teen dance at the High School.
- It was also requested by the Board of Selectmen that the Building Inspector reconsider the Telamon Center application for a tent.
- The original motion was voted (4-0-0) with Selectman Dziczek absent.

3. *Public Hearing - Personnel Policy Revisions*

- Chairman Rozanski opened the public hearing regarding changes to the Personnel Policies and she noted the policy revisions were posted as required by the Personnel By-Laws.
- Town Administrator, Mr. Balukonis, explained each of the proposed changes to "Overtime" and a new section for "Workers Compensation".
- Selectman Musmanno moved to modify the Personnel Policies by adding new Sections 8.2 and Section 26, paragraphs one (1) through four (4). So voted (4-0-0) with Selectman Dziczek absent.

4. *Public Official Updates:*

Municipal Building Committee—James Hoodlet, Chairman

- Mr. Hoodlet updated the Board on the amount of ledge excavated at the High School site to date. The amount excavated to date is 4,448 cubic yards. The amount of ledge per the contract specification was approximately 1,700 cubic yard. The General Contractor (Eastern) claims the removal of excess ledge entitles them to additional payment and time to complete the project. Mr. Hoodlet stated that Eastern Contractors has not submitted a formal claim for the additional ledge excavation, nor has the Municipal Building Committee acted on such a request.

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- Mr. Hoodlet proposes to go back to Eastern to settle the matter. He is less than confident of settlement since Eastern indicates the additional costs are \$800,000 to \$1,500,000, all which is much higher than estimated by the Municipal Building Committee.
- Selectman Williams moved to acknowledge and direct the Municipal Building Committee to proceed in the settlement of the ledge issue. So voted (5-0-0).
- Mr. Hoodlet spoke on unsuitable soils. He stated 12,700 cubic yards of excess of unsuitable soils were stockpiled on site. The unsuitable soils do not need to be removed off-site. In addition, to removing the excess soils, the Town needs to have an amount of suitable fill/soil brought onto the site. The Municipal Building Committee rejected Eastern Contractor's proposal to remove and replace these soils. Mr. Hoodlet noted the Town secured bids for removal and replacement of soil and the low bidder is A. Tetreault and Sons at \$187,977. The Town would be entitled to offset against Eastern Contractors.
- Selectman Musmanno moved the Town award a bid to A. Tetreault & Sons for removal and replacement of soils at the High School site. So voted (5-0-0).
- Mr. Hoodlet addressed several outstanding Change Orders. He noted Eastern Contractors has reserved certain rights under the contract. Mr. Hoodlet does not object to the amounts in the Change Orders, but to the Contractor making certain reservations. He would like the outstanding issues resolved before they are approved by the Board of Selectmen. No actions were taken on the Change Orders.
- Mr. Hoodlet agrees to follow-up these matters with the Board on May 12, 2003.

5. *Sign Denial Appeal—Restaurant 45.*

- Mark Smith, Manager was present. Mr. Smith seeks approval of two (2) wall signs, which total twenty (20) square feet per sign and a twenty four (24) foot, two-sided free standing sign at the intersection of Main and Summer streets.
- Selectman Williams moved the permit be approved for two signs, four (4) feet by five (5) feet on the north and west sides of the building; twenty (20) square foot each. So voted (3-2-0).
- Selectman Musmanno moved the permit be approved for a free standing sign not to exceed fifteen (15) square feet with external illumination. Selectman O'Leary moved to amend that the sign be permitted at twenty-four (24) square feet. Selectman O'Leary requested her proposal be twenty (20) versus twenty-four (24) square feet. No objections were noted, and the twenty-four (24) square feet motion was withdrawn by Selectman O'Leary. The motion to amend the sign to twenty (20) square feet failed (2-3-0). The original motion permitting a sign at fifteen (15) square feet was approved (5-0-0).

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Public Comments (continued)

- Mr. Paul DeSimone appeared before the Board and spoke about the American Cancer Society Relay for Life to be held on June 13 and 14, 2003.

6. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported on the status of a Chapter 61A option filed by Friel Realty Trust. Town Counsel advised the proposed conversion of 1.6 acres is a legitimate proposal to convert the land from agriculture to commercial use.
- Town Administrator, Mr. Balukonis indicated that Secure America is seeking Solicitors Permits for door-to-door sales of security systems. Mr. Balukonis recommends the Board take no action until the matter is addressed by the Police Department.
- Lastly, Town Administrator, Mr. Balukonis, reviewed the procedure whereby the Board of Selectmen may seek permission from the Department of Revenue to avoid a ballot referendum on the Burke School roof. He noted an article appears on the Annual Town Meeting warrant seeking additional funds for the Burke School roof project, if the article is approved at the Annual Town Meeting, the Board should consider whether to submit a request to the Department of Revenue.

7. *Reports of the Selectmen*

- Selectman Dziczek reported that Medway Pride Day is scheduled for May 17, 2003. He also reported that the Norfolk County Mosquito Control has begun larvicide spraying by helicopter and that the Planning Board held an informational meeting on the Walgreen Site Plan.
- Selectman Williams acknowledged that April 29th is Holocaust Remembrance Day and read a poem in recognition of those persons killed as part of the Holocaust.

8. *Report of the Chairman.*

- Selectman Rozanski and the Board issued a Proclamation for the Medway Lions Club.
- Selectman Rozanski noted the Medway Good Government Association recognized Harry Johnson as Citizen of the Year and also reported that the Good Government Association will conduct their annual bake sale on May 3, 2003.

9. *Action Items:*

- Selectman Williams moved that the Board approve the flower barrels as requested by Ms. Fraser of the Beautify Medway Program; Selectman Musmanno seconded; All aye (5-0-0) voted.

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April 28, 2003

- Selectman Williams moved that the Board approve the solicitors permit application for a Poppy Sale scheduled for May 23rd, 24th and 25th from 9:00 a.m. to 4:00p.m. submitted by the Medway V.F.W. Post 1526; Selectman Dziczek seconded; All aye (5-0-0).
- Selectman Musmanno moved to authorize Selectman Rozanski to sign correspondence on behalf of the Board relative to the Thomas Steeves Affordable Housing Project. All aye (5-0-0).

9:59 p.m. There being no further business to discuss the Board of adjourned.

Respectfully submitted,

Greg L. Balukonis
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING

April 14, 2003

Present: Selectmen Joseph Musmanno, Joseph Dzikczek, Mary O'Leary, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Dzikczek mentioned that he would between the Board of Selectmen and Community Preservation Committee meetings.

7:00 p.m. – Selectman Rozanski called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

Selectman Rozanski requested that all remain standing for a moment of silence in honor of U.S. Servicemen currently engaged in war efforts in Iraq.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 as read by Selectman O'Leary in the total amount of \$545,863.98 (\$144,653.46—Town bills; \$164,285.56—Withholdings; \$174,000.21—School Department); Selectman Musmanno seconded; All ayes 5-0-0 (voted).

2. *Approval of Minutes:*

- Selectman Musmanno moved to approve regular meeting minutes of January 13, 2003; Selectman O'Leary seconded; All ayes 5-0-0 (voted).

3. *Town Official Updates:*

Treasurer/Collector, Barbara Walls gave a brief overview of the recent bond sale regarding the \$4,294,000 Municipal Bond Loan to UBS Paine Webber Inc. at the price of \$4,295,888.24 with accrued interest. Ms. Walls stated that the bonds are payable on April 15 commencing 2004 through maturity on April 15, 2013, and that the Town has the option of exercising early redemption of the bonds.

Selectman O'Leary moved that the Board approve and sign the bonds Selectman Williams seconded; All ayes 5-0-0 (voted).

5. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported that the Department of Public Services Director submitted disaster recovery request forms to the Massachusetts Emergency Management Agency as provided under FEMA to reimburse the Town for the President's Day Snow Storm that occurred on February 17 and February 18, 2003, totaling \$76,620.78; reimbursement are due to be received some time during mid June.
- Town Administrator, Mr. Balukonis submitted an Emergency Transfer Request for approval from the Veterans Agent in the amount of \$244.00. Selectman Williams moved to approve the request as submitted by the Veterans Agent; Selectman O'Leary seconded; All aye 5-0-0 (voted).

MINUTES OF THE SELECTMEN'S MEETING

April 14, 2003

- Town Administrator, Mr. Balukonis, acknowledged receipt of the Right of Entry for the Iarussi property. Mr. Balukonis also acknowledged receipt of the Notice of Intent to convert 1.698 acres of land which was submitted by Attorney Francis A. DiLuna on behalf of the Friel Realty Trust. Selectman Rozanski inquired if Town Counsel had confirmed a bona fide offer relative to this issue. Mr. Balukonis informed the Board members that he was awaiting Town Counsel's decision and that he would advise the Board as soon Town Counsel submitted his response. Selectman Rozanski stated that she hoped Town Counsel could respond quickly in order to move forward soon.
- Lastly, Town Administrator, Mr. Balukonis, updated the Board relative to pending Liquor License transactions of Medway Mart, Ketan Petal, Manager and West Medway Liquors, Jack Doven, Manager. Mr. Balukonis reported that the ABCC requested additional financial information from Mr. Petal and that Mr. Doven had requested that his application be placed on hold.

6. *Reports of the Selectmen*

- Selectman Dziczek mentioned that Medway Pride Day was scheduled for May 17 at the Medway High School at the Edmund Charland Field and urged all residents and Board members to attend this great community event.
- Selectman O'Leary reported that she recently attended the Norfolk County Legislative Breakfast held at the Norfolk County Agricultural High School and also attended the Norfolk County Selectmen's Association Spring Meeting held at the Franklin Country Club and that both activities were very nice and were informative.
- Selectman Williams highlighted "Today in World History" facts and "This Week in Medway History" facts. Selectman Williams also presented memorabilia of past Medway community events some of which had been presented by the CPC during the prior week's Board meeting. Also presented was an 1940 tax form which prompted Selectman Williams to remind all that income tax forms are due Tuesday, April 15th.

6. *Report of the Chairman:*

- Selectman Rozanski mentioned that she also attended and enjoyed the Legislative Breakfast.
- Selectman Rozanski acknowledged that the Town Administrator would be on vacation from Thursday, April 17th through Friday, April 25th, returning to the office on Monday, April 28th and designated Police Chief, Robert Saleski, to serve as acting Town Administrator in his absence. Selectman Rozanski requested that the Town Administrator file his vacation notice with the Town Clerk.

MINUTES OF THE SELECTMEN'S MEETING

April 14, 2003

- Selectman Rozanski also mentioned that Eagle Scout, Timothy Dumas, will be honored by the MSPCA at a dinner/reception at the JFK Library for recognition of his hard work and effort relative to the creation of the Medway dog park.

7. Discussion:

- Selectman Musmanno mentioned that the Finance Committee Budget recommendations were slightly different from what the Town Administrator had submitted for discussion and asked if anyone had an explanation. Town Administrator explained. The Board then entered into a brief discussion regarding the Fiscal 04 Budget recommendations as submitted by the Town Administrator.
- Selectman Musmanno referred to the Planning Boards warrant Article #35 regarding the Design Review Committee and the discussion that occurred at the prior week Selectmen's meeting and asked if Town Counsel's opinion had been sought relative to whether the question involved amending the zoning or general bylaws.
- Town Administrator, Mr. Balukonis stated that Town Counsel ruled the article should be in the form of a general bylaw amendment.
- Selectman O'Leary acknowledged the Council on Aging Annual Volunteer Banquet scheduled for Thursday, May 1 at the Medway VFW.

8. Action Items:

- Town Administrator, Mr. Balukonis, presented the final copy of the Special Town Meeting Warrant for Board review and approval. After reviewing the final copy the Board unanimously approved and signed the warrant.
- Town Administrator, Mr. Balukonis, presented the final copy of the Annual Town Meeting Warrant which included a late change request to Article 17; after reviewing such, the Board unanimously approved and signed the warrant.
- Town Administrator, Mr. Balukonis, presented a request submitted by Golden Jade Restaurant for an Automatic Amusement License (video golf game) for the Board's approval. Selectman Williams stated that he was against granting in favor of Golden Jade's request due to past problems relative to video gaming machines and strongly felt that the individuals should not be awarded approval for the present request. Selectman Dziczek acknowledged that Golden Jade has a previous problem with video gaming machines and felt that the Board should not continue to punish the individuals for past indiscretions. Selectman Musmanno moved to approve Golden Jade Restaurant's request for an automatic amusement license, specifically, a video golf machine; Selectman O'Leary seconded; 4-1-0 (voted).

8:30 p.m. Selectman Williams moved that the Board adjourn to enter into executive session with the intention of returning to open session for reason #3; *"To consider strategy with respect to collective bargaining or litigation if an open meeting may have*

MINUTES OF THE SELECTMEN'S MEETING

April 14, 2003

a detrimental effect on the conduct on the government's bargaining or litigation position." Selectman O'Leary seconded; the vote: Selectman Dziczek—aye; Selectman O'Leary—aye; Selectman Williams—aye; Selectman Rozanski—aye; Selectman Musmanno—aye; All ayes 5-0-0 (voted).

RETURN TO OPEN SESSION

Selectman Rozanski addressed the individuals present at the meeting and stated that the Board of Selectmen unanimously voted to uphold the Town Administrator's grievance decision of February 20, 2003.

Mrs. Affleck-Childs requested that clarification from the Board of Selectmen regarding the meeting results/decision be submitted to the Planning Board for future follow up.

Selectman Rozanski stated that such is a management issue which the Planning Board should direct to the Town Administrator, as Personnel Director.

Mrs. Affleck-Childs asked what requirements the Planning Board would have to follow for Board of Selectmen directives.

Selectman Musmanno stated that the Planning Board should submit written correspondence to the Board of Selectmen's office.

Selectman O'Leary stated that the issue heard this evening had previously been discussed between Planning Board Vice Chairman, Mr. Wieler and Town Administrator, Mr. Balukonis a few weeks ago and as a result of that meeting, it was decided that Mr. Balukonis would elect to revisit the issue after the July 1, budget results and finalization.

Selectman Dziczek stated that the Planning Board might want to submit another request after July 1, 2003.

Mr. Wieler stated that the Planning Board would continue dialogue with Mr. Balukonis at a later date.

There being no further business to discuss, Selectman Dziczek moved the meeting be adjourned; seconded by Selectman Williams; All ayes (5-0-0).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

MINUTES OF THE SPECIAL SELECTMEN'S MEETING
MAY 12, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Selectman Mary O'Leary arrived late. Administrative Services Assistant, Celeste Hanson, was not present.

6:10 p.m. – Selectman Rozanski called the meeting to order in Room 120 of the Medway High School. All stood for the Pledge of Allegiance.

1. Board Reorganization:

- Selectman Williams moved to nominate Selectman Musmanno for Chairman; so voted (4-0-0).
- Selectman Williams moved to nominate Selectman O'Leary for Vice Chairman; so voted (4-0-0).
- Selectman Williams moved to nominate Selectman Rozanski for Clerk; so voted (4-0-0).

2. Approve and sign warrant:

- The Board approved and signed warrants for fiscal year '03 as read by Selectman Rozanski in the total amount of \$1,824,913.56 (\$497,827.44—Town bills; \$144,735.05—Withholdings; \$1,400,000.00—New High School; \$71,533.63—School Department); All ayes 4-0-0 (voted).

3. Treasurer/Collector—Bond Rollover:

- Barbara Walls, Treasurer/Collector was present. Ms. Walls proposes the Board approve \$371,496.42, which represents a bond rollover for the Chapter 90 program. Board members questioned why the town was not reimbursed for prior Chapter 90 expenditures.
- Selectman Rozanski suggested that the Board delay action until the May 19, 2003, meeting. Not action was taken by the Board.

4. Report of the Town Administrator:

- Town Administrator, Mr. Balukonis, presented the Board with a request by Secure America for a Solicitors Permit. Police Chief, Robert Saleski, was present and offered a recommendation. Chief Saleski stated several of the individuals had criminal records and another individual was only sixteen (16) years old. Chief Saleski strongly urged the Board not approve the request for a Solicitors Permit. Selectman Dziczek moved to deny the permit application for Secure America, so voted (4-0-0).
- Town Administrator, Mr. Balukonis presented a request from the Board of Health for a One-day Household Hazardous Waste Collection day scheduled for June 28, 2003, located at the Alder Street cul-de-sac. Selectman Williams moved to approve the request to hold the one-day Hazardous Waste Collection Day, so voted (4-0-0).

MINUTES OF THE SPECIAL SELECTMEN'S MEETING
MAY 12, 2003

5. *Reports of the Selectmen*

- Selectman Dziczek moved the Board support the Community Preservation Commission (C.P.C.) request for funding under Article 13. Board members stated they wanted to hear the CPC presentation before offering support.
- Selectman Musmanno reported on the Finance Committee (FinCom) Report that contains language seeking support on the ballot questions for the appointed Treasurer/Collector. He believes the FinCom's recommendation is in violation of the Office for Campaign and Political Finance regulations governing ballot questions. He proposed the FinCom Chairman be present the May 19th Board of Selectmen's meeting. Selectman Musmanno indicated he was contacted by citizens with this complaint. Selectman Dziczek suggested the Board Chairman consult with the FinCom Chairman and Town Counsel.

6. *Discussion Items:*

- Citizens Petition: Selectman Rozanski suggested a Special Town Meeting be scheduled around June 22nd.
- Selectman Rozanski moved to open the Special Town Warrant on or about June 22, 2003, the warrant to close on May 23, 2003.
- Request from the Zoning Board of Appeals (ZBA) for a \$450.00 Reserve Fund transfer. Selectman Rozanski moved to approve the requested Reserve Fund transfer, so voted (4-0-0).
- Selectman Williams acknowledged the letter from Robert Dubovsky and asked that the letter be forwarded to the Municipal Building Committee and that Mr. Dubovsky be directed to contact the Committee.

At 6:51 p.m. Board of Selectmen moved and voted that the meeting be adjourned.

Respectfully submitted,

***Greg Balukonis,
Town Administrator***

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 9, 2002

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Mary O'Leary was absent.

7:00 p.m. – Chairman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

- Before moving on with the usual meeting business, Chairman Musmanno announced the recent Board realignment; Selectman Rozanski now serving as Clerk; Selectman Musmanno now serving as Chairman and Selectman O'Leary now serving as Vice Chairman.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 as read in the total amount of \$1,275,013.34 (\$517,316.93—Town bills; \$14,211.00—Withholdings; \$14,094.17—Student Activities); Selectman Dziczek seconded; All ayes 4-0-0 (voted).

2. *Approval of Minutes:*

- Selectman Rozanski moved to approve regular meeting minutes of April 14, 2003; Selectman Dziczek seconded; All ayes 4-0-0 (voted).
- Selectman Williams moved to approve and release the executive session minutes of April 14, 2003; Selectman Rozanski seconded; All ayes 4-0-0 (voted).
- Selectman Rozanski moved to approve the regular meeting minutes of April 28, 2003; Selectman Musmanno seconded; All ayes 4-0-0 (voted).

3. *Public Comments:*

- Ms. Arlene Doherty, resident of Heritage Drive, came forward and addressed the Board inquiring if there was a procedure for getting the street swept. Administrator Balukonis stated that she could forward a request to the Administrative Office and the request would be carried out.
- Ms. Diane Borgotti approached the Board and voiced concerns relative to the date of the upcoming Special Town Meeting scheduled in June. Chairman Musmanno stated that Ms. Borgotti had contacted him prior to the meeting regarding the issue and he asked the Town Administrator to investigate other possible dates to hold the June Special Town Meeting.

4. *Town Official Updates:*

- Treasurer/Collector, Ms. Barbara Walls was present to request Board approval for consideration of the Chapter 90 bonds rollover and explained the renewal process.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 9, 2002

- Chairman Musmanno inquired what the ramifications would be if the Town elected not to rollover the bonds as advised. Treasurer Walls indicated that the town's rating could be in jeopardy of being dropped and banks would be notified that the Town has a tendency to cancel bonds. Treasurer Walls further explained that not electing to roll over the bonds sends out a negative message that the Town goes out to bid then cancels the bond. Treasurer Walls stated that the Town borrowed money and by not rolling over the bonds will effect future free cash.
- Selectmen Williams and Rozanski disagreed with Treasurer Walls. Selectman Rozanski moved not to approve the rollover of Chapter 90 Bonds; seconded by Selectman Williams; Ayes 2; Opposed 2 (2-2-0); motion failed.
- Selectman Dzialek moved to follow the advice of Treasurer Walls and approve the Rollover of Chapter 90 Bonds; seconded by Chairman Musmanno; Ayes 2; Opposed 2 (2-2-0); motion failed.

5. Liquor License Transfer Public Hearing, West Medway Liquors:

- Chairman Musmanno asked the individuals representing the West Medway Liquors transfer of license application to come forward in order to commence the Public Hearing.
- Selectman Rozanski read the public hearing notice.
- Attorney Arlen Johnson came forward and stated that he is counsel for Conway Liquors and introduced Mr. and Mrs. Conway. Attorney Johnson also acknowledged Mr. John (Jack) Dovenio, as the current owner of West Medway Liquors.
- Mr. Dovenio stated that due to a personal issue that occurred in the fall with the death of his wife, that he had been thinking of selling the business and stated that the Conways are current employees who indicated an interest in buying his business. Mr. Dovenio stated that the Conways have proved to be excellent, honest employees who are also very responsible and diligent and he feels that they are excellent candidates to take over the business.
- Chairman Musmanno asked Mr. and Mrs. Conway if they completed the T.I.P.S. certification process and if either have ever run a business prior. Mr. Dovenio indicated that they are in the process of completing the certification program. Mr. Conway stated that he is currently working under the supervision of Mr. Dovenio and Mrs. Conway stated that she has previous restaurant experience.
- Chairman Musmanno asked Mr. Conway how many employees he intended to have. Mr. Conway stated two employees.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 9, 2002

- Selectman Williams moved to approve the application for liquor license transfer submitted by Conway Liquors; seconded by Selectman Dziczek. All ayes (4-0-0) voted.

6. Sal LaRiccias, Presentation of proposed Proposition 2 ½ Underride:

- Chairman Musmanno introduced Mr. LaRiccias and read a letter submitted by School Superintendent Bettencourt regarding a unanimous vote taken by the Medway School Committee at the May 15, 2003 meeting which strongly urges the Board of Selectmen to take a public position opposing the proposed underride in order to protect the vital interest of the Town and all of its citizens. Selectman Musmanno asked Mr. LaRiccias what he intended to accomplish at this Board meeting.
- Mr. LaRiccias indicated that he was looking for the Board's support.
- Chairman Musmanno asked Mr. LaRiccias if he had new data to present that had not been presented at town meeting that would make a difference.
- Mr. LaRiccias indicated that he had some charts that he could not present at the town meeting due to the projector problem which he hoped would further support the proposed proposition 2 ½ underride. Mr. LaRiccias mentioned that Medway taxes are too high and if taxes could be lowered that perhaps it would encourage people to stay in Medway.
- Chairman Musmanno stated that the additional data presented by Mr. LaRiccias did not change anything that had been discussed at the town meeting; the other board members nodded in agreement. Chairman Musmanno then identified the municipal employees in the back of the conference room and stated that he felt the employees probably have a very different point of view relative to Mr. LaRiccias's presentation.
- Selectman Dziczek suggested that the Chairman ask for a show of hands from the municipal employees indicating their position.
- With the support of the rest of the Board, Chairman Musmanno then asked the municipal employees to indicate, by show of hands, their support of the underride; zero (0) hands were raised; when asked to indicate their opposition of the underride all municipal employees raised their hands.
- Selectman Williams stated that he was happy that Mr. LaRiccias has taken an interest in town government and was also happy that the Chairman recognized the municipal employees who took time to attend the meeting to express their views. Selectman Williams then moved that the Board not support an underride of any amount at this time due to the financial impact on the Town; seconded by Selectman Dziczek; All ayes (4-0-0).

7. Paul Yorkis Presentation of Site Plan Application for 159 Main Street

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 9, 2002

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8. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported
- Town Administrator, Mr. Balukonis reported
- Lastly, Town Administrator, Mr. Balukonis, reported

9. *Reports of the Selectmen*

- Selectman Dziczek
- Selectman O'Leary reported
- Selectman Musmanno.
- Selectman Williams highlighted "Today in World History" facts and "This Week in Medway History" facts.

10 .*Report of the Chairman.*

- Selectman Rozanski
- .

11. Discussion Items:

- The Board discussed the summer meeting schedule of every other week; all board members were in agreement. Chairman Musmanno directed the Administrative Services Assistant to prepare and post the summer Board meeting schedule.

12. Action Items:

Approval of June Special Town Meeting and Special Election

June Special Town Meeting

- The board discussed several date options in which to hold the Special Town Meeting. Selectman Rozanski noted that the Special Town Meeting notices had been posted for June 23, 2003, and asked if everything would be ready for the posted date. Administrator Balukonis stated everything would be ready. Selectman Williams moved that the Special Town Meeting be held on June 23, 2003; seconded by Selectman Rozanski; All aye (4-0-0).

June Special Election

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 9, 2002

- Administrator Balukonis reported that June 30th was earliest date to hold the Special Election as per Massachusetts General Laws. Selectman Williams moved that the Special Town Election be held on Monday, June 30, 2003, as suggested by the Town Administrator; seconded by Chairman Musmanno; All aye (4-0-0).
- Selectman Rozanski moved to place Question 1 on the Special Town Election Ballot; seconded by Selection Dziczek; All aye (4-0-0).
- Board entered into a discussion regarding Question 2 Selectman Williams moved to place question 2 regarding proposition 2 ½ for Burke School Roof

At 9:50 p.m., There being no regular business to discuss, Selectman Williams moved that the Board of Selectman convene to Executive Session with the intention of not returning to regular session seconded by Selectman Dziczek; the vote: Selectman Dziczek--Aye; Selectman Williams--Aye; Selectman Rozanski--Aye and Chairman Musmanno--Aye; All ayes 4-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

BOARD OF SELECTMEN
MAY 19, 2003
REGULAR SESSION MINUTES

Attending: Selectmen Joseph Musmanno, Joseph Dzikczek, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Mary O'Leary was absent.

There being a quorum of the Board of Selectmen; Chairman Musmanno called the regular session meeting to order in Sanford Hall of Town Hall at 7:00 p.m.. All stood for the Pledge of Allegiance.

Excerpt from the minutes:

Approval of June Special Town Meeting and Special Election

June Special Town Meeting

- The board discussed several date options in which to hold the Special Town Meeting. Selectman Rozanski noted that the Special Town Meeting notices had been posted for June 23, 2003, and asked if everything would be ready for the posted date. Administrator Balukonis stated everything would be ready. Selectman Williams moved that the Special Town Meeting be held on June 23, 2003; seconded by Selectman Rozanski; All aye (4-0-0).

June Special Election

- Administrator Balukonis reported that June 30th was earliest date to hold the Special Election as per Massachusetts General Laws. Selectman Williams moved that the Special Town Election be held on Monday, June 30, 2003, as suggested by the Town Administrator; seconded by Chairman Musmanno; All aye (4-0-0).
- Selectman Rozanski moved to place Question 1 (Question #1 "Shall the town of Medway be allowed to exempt from the provisions of proposition two and one-half, so called the amounts required to pay for the bond issued in order to fund the construction of a sewer system generally from Franklin Street along Village Street to West Street, Holbrook and Granite Streets, including costs incidental thereto?) on the Special Town Election Ballot; seconded by Selection Dzikczek; All aye (4-0-0).

I certify that this is an accurate summary of a vote taken by the Selectmen at their regular session meeting held on May 19, 2003 to hold a special town election on June 30, 2003 and to place ballot question one regarding exemption payments of debt service under the provisions of proposition two and one-half on the special election ballot.

Mary Jane White, Town Clerk

MINUTES OF THE SELECTMEN'S MEETING

June 2, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was absent.

7:02 p.m. – Selectman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Dziczek moved that the Board approve and sign warrants for fiscal year '03 as read by Selectman Rozanski in the total amount of \$1,049,286.49 (\$191,576.55—Town bills; \$165,148.86—Withholdings; \$356,725.41—School Department); All ayes 5-0-0 (voted).

2. *Wally Frink—Tulip Way island landscape proposal:*

- Mr. Frink was present to review a proposal to include a landscape island at the end of Tulip Way. Mr. Frink indicated that the Planning Board approved the subdivision, subject to the Board of Selectmen decision on the landscape island. Mr. Frink noted several abutters were in favor of the proposed island. Mr. Frink mentioned the Planning Board had considerable discussion on this matter.
- Karyl Spiller-Walsh spoke on behalf of the Planning Board. She indicated due to the size of the cul-de-sac the Planning Board reasoned a green area desirable. Ms. Spiller-Walsh mentioned that the cul-de-sac was huge in her estimation.
- Selectman Rozanski asked about the proposed landscaping scheme. Mr. Frink noted that the proposed plantings are low level, except for a blue spruce at the center of the island. There would not be any visual obstruction for vehicles in the right of way.
- Mr. Howard Turnoff, 18 Tulip Way addressed the board and strongly supports the proposed island greenspace.
- Mr. Charlie Clist, 20 Tulip Way, also stated his support.
- Selectman Dziczek questioned about how close the plantings would be to the edge of pavement. Mr. Frink responded about twenty (20) feet.
- Selectman Williams asked about the Department of Public Services position on this matter. Highway Foreman, James Smith, was present as the DPS representative. Mr. Smith indicated that the DPS is against the landscape island, and also expressed concerns over maintenance and snow removal.
- Selectman Dziczek commented that the snow removal activities do not concern him to a great extent.

MINUTES OF THE SELECTMEN'S MEETING

June 2, 2003

- Selectman O'Leary stated that she had reservations over town maintenance. She would like to see more input by Town officials, specifically, the safety officer and DPS.
- Selectman Williams moved to postpone action on this request until the June 16, 2003, at 7:45 p.m. Approved to continue to June 16, 2003 (5-0-0).

3. Richard Oneto, Site Plan Application by Mattress Magic, 117 Main Street

- Mr. Oneto seeks waiver of the site plan approval process for a retail facility to be located at 117 Main Street.
- Chairman Musmanno acknowledged that the Zoning Board of Appeals granted a special permit to Mr. Oneto for location of a retail store at this location. Selectman Musmanno suggested the Board does not have the authority to waive the site plan process in its entirety and recommended that Mr. Oneto seek specific waivers, as part of the site plan application. Selectman Musmanno agreed that the Board should acknowledge the site plan application.
- Selectman Rozanski moved to acknowledge the Mattress Magic, Ltd., site plan application and forward same to the Planning Board; approved (4-0-0).

4. Land Speed Motor Group, 4 Main Street:

- Robert Potheau and Joseph Stumpo were present in support of their application for transfer of a Class III license at this location. Mr. Potheau stated there was a Class III license at this location for approximately twenty-six (26) years.
- Selectman Rozanski moved to approve the Class III license transfer at 4 Main Street, subject to no more than one vehicle in front of the fence; approved (4-0-0).

5. *Report of the Town Administrator:*

- Administrator Balukonis, addressed a recent letter written by the Disability Committee. Mr. Balukonis stated it was impossible to address the Disability Committee's request before the Annual Town Meeting. He also stated his disappointment with the Disability Committee looking to blame him for not acting in a timely manner. Selectman Dziczek moved to support a reserve fund transfer for purchase of an assisted listening device. It was suggested the Town approach the High School about such a system. Selectman Musmanno suggested the Board work with this Committee in resolving the same. The Board agreed to notify the Municipal Building Committee about a sound system at the new high school.

6. *Reports of the Selectmen*

- Selectman Dziczek mentioned a tremendous traffic backup on Route 109 east-bound, near Summer Street and suggested that the traffic lights be modified, if

MINUTES OF THE SELECTMEN'S MEETING

June 2, 2003

possible. Selectman Dziczek also reviewed the CPC's recent efforts and mentioned that the Board of Health will be holding a household hazardous waste collection day on June 28, 2003.

- Selectman O'Leary reported that she recently attended the Massachusetts Housing Authority Conference and informative seminars on affordable housing. Selectman O'Leary stated the Housing Authority will be having a cookout in July. Selectman O'Leary also mentioned David Hoag's excellent presentation at the Medway Pride Day.
- Selectman Rozanski reported that she attended the most recent WAP meeting. The results of the Route 109 Vehicle Traffic Study were reviewed at the SWAP meeting.

7. Report of the Chairman.

- Selectman Musmanno acknowledged the Board's new liaisons and appointments. He will provide a list of assignments that was reviewed by the Board members.
- Selectman Williams moved to nominate Selectman Rozanski to represent the Board on the Norfolk County Advisory Board ; approved (5-0-0).
- Selectman Williams moved to nominate Selectman Dziczek to represent the Board on the Disability Commission; approved (5-0-0).
- Selectman Rozanski moved to affirm Selectman Dziczek's continuing as the Board's representative to the CPC; approved (5-0-0).
- Selectman Williams moved to nominate Selectman Rozanski serve as Medway's SWAP representative; approved (5-0-0).

8. Discussion Items:

- Town Counsel reports the Board does not own land, which was requested by the Currier Family Trust, off of Village Street. It was moved and voted that the Board take no action on the Currier Family Trust, expect sending a letter to that fact. The Board agreed that Chairman Musmanno sign same; approved (5-0-0).
- Selectman Dziczek introduced Mr. Robert Dubovsky who was present to speak on his plans for school roofs. Mr. Dubovsky addressed his concerns over the Burke School Roof. He was directed to contact the Municipal Building Committee.

8. Action Items:

June 23 Special Town Meeting Warrant

MINUTES OF THE SELECTMEN'S MEETING

June 2, 2003

- Selectman Williams moved to add five hundred (\$500.00) dollars for the Medway Disability Commission; approved (5-0-0).
- Selectman Rozanski moved to approve Article 1 under the Board sponsorship; approved (5-0-0).
- Selectman Rozanski moved to include Article 2 (Stabilization Fund) on the warrant; approved (5-0-0).
- Selectman Rozanski moved to include Article 3 (Settlement for High School Land taking) on the warrant; approved (5-0-0).
- The Board discussed the Planning Board's proposal to place the lighting zoning bylaw amendment on the warrant. Selectman Dzikczek moved to include it on the warrant. Selectman Williams moved to amend Selectman Dzikczek's motion to include revised zoning proposals. Selectman Williams moved not to include Article 4 as written, voted (5-0-0). The Board took no action relative to Selectman Dzikczek's and Selectman Williams's original motions (Selectman Williams withdrew his motion).
- Harry Johnson, Chairman of the Board of Assessors was present and requested money be transferred from the BOA budget surplus into the Revaluation Account. Selectman Rozanski moved and it was voted (5-0-0) to include a request under Article 1.
- The discussion resumes regarding the proposed article revisions by the Planning Board. Selectman Dzikczek moves the Board agree to sponsor Zoning Bylaw articles on the STM warrant. It was not voted to accept the new article definitions (2-3-0). It was not voted to accept the new article revised lighting zoning bylaw.
- Selectman Rozanski moved to accept Article 5 (Street Acceptances) as proposed by the Planning Board; approved (5-0-0).
- It was agreed to add language to Article 6 (Citizens Petition); voted (5-0-0). It was moved to accept the Citizens Petition (5-0-0).
- It was moved and voted to accept three (3) article requests submitted by the Zoning Board of Appeals, and renumber the articles accordingly (5, 6, 7); so voted (5-0-0).

Hal Davis-51 Alder Street, LLC—request for warrant article:

- Hal Davis was accompanied by Joseph Lynch representing Conroy Development. The Board agreed not to include an article on the June 23, 2003, STM warrant approving a TIF agreement between Medway and 51 Alder Street, LLC. It was decided by the Board to address this issue after Medway receives ETA designation.

High School Change Orders:

MINUTES OF THE SELECTMEN'S MEETING

June 2, 2003

- Selectman Rozanski moved to approve the following Change Orders and to authorize Chairman Musmanno to sign same: C.O. #4B in the amount of \$25,000; C.O. #7 a credit of \$1,714; C.O. #8 in the amount of \$38,377; and C.O. #9 in the amount of \$32,798; approved (5-0-0).

9. Correspondence:

- The Board of Selectmen acknowledged a letter from Town Counsel on the acceptance of gifts. It was agreed to send a memorandum to town boards and committees reminding them of the legal requirements under law. Selectman Rozanski suggested the gift acceptance procedure be included under the Board of Selectmen's Policies and Procedures.

It was moved and seconded that the Board of Selectmen adjourn to enter into Executive Session with the intention of returning to open session to discuss reason number three "*To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel.*" Roll call vote: Selectman Dziczek—aye; Selectman Williams—aye; Selectman O'Leary—aye; Selectman Musmanno—aye; Selectman Rozanski—aye; All ayes 5-0-0.

RETURN TO OPEN SESSION:

At 9:34 p.m., the Board of Selectmen returned to open session and Chairman Musmanno announced the Aggregate Industries versus Town of Medway law suit was settled for twenty thousand (\$20,000) dollars.

At 9:35 p.m., there being no further business to discuss, the Board of Selectmen moved and voted that the meeting be adjourned; All ayes 5-0-0 (voted).

Respectfully submitted,

Greg L. Balukonis
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING

June 23, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was not present.

6:35 p.m. – Selectman Musmanno called the meeting to order at the Medway High School prior to the Special Town Meeting.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 totaling \$486,595.05 as read. Voted to approve; All ayes (5-0-0).

2. *Public Comments:*

- Robert Dubovsky was present to comment on the proposed flat roof for the Burke school. Mr. Dubovsky spoke against the proposed flat roof design. No action was taken by the Board on this request.

3. *Report of the Town Administrator:*

- Administrator Balukonis indicated he would provide an update on the 2004 state aide at the June 30, meeting.
- Administrator Balukonis also distributed a letter from the Disability Commission concerning street acceptances for the Special Town Meeting.

4. *Reports of the Selectmen*

- No reports were given by the Selectmen at this meeting.

5. *Discussion Items:*

- Selectman Rozanski moved to support warrant articles five (5) to seven (7) on the Special Town Meeting warrant; voted (4-1-0).
- Selectman Williams moved to increase the Senior Tax Program from sixty-five (65) to seventy (70) participants; (Voted 4-1-0, Selectman Dziczek abstained) Selectman O'Leary asked if the program could be "need-based" in the future. It was agreed to make this subject an agenda item for five (5) weeks).
- Selectman O'Leary moved to extend the site plan approval request by Charter Realty and Development for one (1) year, expiring on July 29, 2004; all ayes 5-0-0 (voted).
- Selectman Dziczek moved to approve the Planning Board's request for the services of special legal counsel; voted 3-2-0.

MINUTES OF THE SELECTMEN'S MEETING

June 23, 2003

7:00 p.m. There being no further business to discuss, it was moved and voted that the meeting be adjourned; All ayes 5-0-0 (voted).

Respectfully submitted,

Greg L. Balukonis,
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING
JUNE 30, 2003

Present: Selectmen Joseph Musmanno, Joseph Dzialek, Mary O'Leary, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was absent.

7:00 p.m. – Selectman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Rozanski read and moved that the Board approve and sign warrants for fiscal year '03 in the total amount of \$1,706,309.25 (\$153,937.69—Town bills; \$176,786.78—Withholdings; \$56,813.57—School Department); All ayes 5-0-0 (voted).

2. *Approval of Minutes:*

- Selectman Williams moved to approve regular meeting minutes of June 2, 2003, with corrections; All ayes 5-0-0 (voted).
- Selectman Williams moved to approve and release executive session meeting minutes of June 2, 2003, All ayes 5-0-0 (voted).

3. *Public Comments:*

- Robert Dubovsky was present and suggested the acceptance of an accessory dwelling unit provision of the Zoning Bylaw that may satisfy affordable housing requirements. Mr. Dubovsky then commented on the Burke School roof. He is looking for certain documents relating to a feasibility study of roof alternatives. He asked for an appointment to meet with the Board in approximately one month to in order to update his findings. No action was taken by the Board on this request.
- Paul Desimone provided a municipal law update on public roads. Chairman Musmanno inquired about establishing written guidelines for town boards and committees. Mr. Desimone then stated his opinion regarding the litter on Coffee Street. Mr. Desimone does not want to file a complaint at this time, but believes that the DPS Director should make this concern a priority.

4. *Town Official Updates:*

- Chief Vinton introduced Christopher Mele as the new full-time firefighter/EMT. Town Clerk, Mary Jane White was present to swear in Mr. Mele. The Board offered their congratulations and wished him well in his new duties.
- Chief Vinton also acknowledged that the Town received two (2) new defibrillator units for use by the police and fire departments. The units were secured at no cost under a State grant program. Chief Vinton acknowledged the efforts of Administrator Balukonis for completing the grant applications within a limited timeframe. The Board thanked Chief Vinton and Administrator Balukonis.

5. *Site Plan Application—159 Main Street*

- Paul and Kathleen Yorkis were present. Chairman Musmanno acknowledged the Planning Board Certificate of Recommendation with Waivers and Conditions. He indicated no Planning Board members were present. Mr. Yorkis indicated the proposed site plan was reviewed with VHB Engineers and the DPS Director. The Plan reflects a best case scenario in view of possible future improvements to Route 109.
- Selectman Rozanski stated if work is performed on Route 109 that the Town can not be responsible for removal of parking and other structures at the premises where they may be located in the right of way.
- Selectman O'Leary moved to approve the Site Plan for 159 Main Street, subject to the conditions as recommended by the Planning Board.
- Selectman Rozanski moved to strike the last sentence in "Recommended Specific Conditions of Approval" in Section A.
- Chairman Musmanno stated that he was uncomfortable with the parking arrangement being in the public way and moved to amend by inserting "the applicant will Board the proposed plan indicates utilization of land owned by the Town and the applicants proceed at their own risk and peril without recourse or compensation".
- It was voted to include the amendment by Chairman Musmanno as stated above (5-0-0).
- It was next voted to accept the amendment by Selectman O'Leary as stated above (5-0-0).
- It was voted to approve the Site Plan, including waivers as requested by Paul and Kathleen Yorkis for 159 Main Street (5-0-0).

6. *Mr. Sal LaRicca, 15 Waterview Drive—Presentation of Possible Ballot Question:*

- Mr. LaRicca stated the purpose of his attendance tonight is to request that the Board place a Two Million Dollar (\$2,000,000) Proposition 2 ½ Under ride on a Special Election Ballot.
- Chairman Musmanno pointed out that one article presented on the June 23, 2003, Special Town Meeting Warrant was by Mr. LaRicca initiated in presenting a Citizens Petition seeking a Two Million Dollar (\$2,000,000) under ride.
- Mr. LaRicca presented his reasons by the Board should place a Proposition 21/2 Under ride question on the ballot, and again asked for the Board's consideration.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 30, 2003

- No motions were made by the Board and the matter was closed without action.

7. *Report of the Town Administrator:*

- Administrator Balukonis provided an update on fiscal year 2004 State Aide. Administrator Balukonis reported that Medway's aide numbers are nearly identical to Fiscal 2003 and that there is a 3.5 percent increase in Chapter 70 funding. This is offset by a decrease in lottery and additional assistance. Administrator Balukonis stated a new line item was added in fiscal 2004 called Special Education Circuit Breaker; for Medway, the SPED Circuit Breaker provided two hundred thirty thousand (\$230,000) dollars in new revenues. Administrator Balukonis believes the 2004 budget is nearly in balance, but for a two thousand seven hundred (\$2,700.00) dollar shortfall, if the Circuit Breaker Funds are considered as an available fund. Administrator Balukonis will update the Board once the impact of Governor Romney's vetos is known.
- Administrator Balukonis reported that Robert Belland resigned as Wiring Inspector and thanked Mr. Belland for his twenty five (25) years of service to the Town.
- Administrator Balukonis acknowledged approval of Medway's regional application for designation as an Economic Target Area.
- Lastly, Administrator Balukonis indicated that he would be on vacation next week (July 6th through July 12th); he did not appoint an acting Town Administrator in his absence.

8. *Reports of the Selectmen:*

It was reported by the Board that funds for the sewer line extension for West Medway was approved at the Special Election ballot on this date.

- Selectman Williams spoke on the matter of the Proposition 2 ½ Under rides and Overrides. He stated there is a great difference between overrides and under rides and explained the Board places overrides on the ballot after town meeting approval.
- Selectman Rozanski mentioned the Governor's Fiscal 2004 budget vetoes. She is reviewing the Governor's actions. Selectman Rozanski also noted that an override had been placed on the election ballot after a vote of town meeting.
- Selectman Dziczek commented that perhaps Mr. LaRiccia may be confused about the ballot question procedures based on his prior evenings presentation.

9. *Report of the Chairman.*

- Chairman Musmanno addressed the Annual Town Administrator's evaluation process. The Board members stated their preferences for a narrative versus strictly

MINUTES OF THE SELECTMEN'S MEETING
JUNE 30, 2003

numerical rating for the Town Administrator. Chairman Musmanno agreed to distribute rating sheets to Board members.

10. Discussion Items:

- Chairman Musmanno referenced a letter sent to the Energy Facilities Siting Board regarding the proposed Sithe West Medway power plant. Exelon (formerly Sithe) is withdrawing the project. Administrator Balukonis noted that he spoke with Mr. John O'Brien at Exelon who informed him that the decision was based on the lack of demand for stand-by electricity and changes in the financial markets. The Board expressed great disappointment in this decision, and its adverse impacts on local finances over the next twenty-five (25) years.

11. Action Items:

- The Board considered its last of annual Board and Committee appointments. It was agreed that the Board needs to find out the status of Kelly O'Rourke's position on the Municipal Building Committee before acting on Mr. Frank Varrichione's request for appointment.
- The Board reviewed the proposed fiscal 2004 real estate tax bill. Selectman Williams expressed concerns over the new tax bills. The Board agreed to defer until the Treasurer/Collector could provide additional information.
- It was moved and voted (5-0-0) to approve a Solicitors Permit issued to the Southwestern Company with the hours restricted to 9:00 a.m. to 8:00 p.m., or by appointment.

12. Communication and Correspondence:

- The Board acknowledged a letter from the Office of Campaign and Political Finance concerning the Finance Committee report to the Annual Town Meeting.
- The Board reviewed correspondence from the Franklin Town Administrator regarding the extension of water lines along Village Street, westerly from the Millis town line. Administrator Balukonis agreed to discuss the matter with the Franklin Town Administrator, and report his findings to the Board at a later date.
- Barbara Walls, Town Treasurer/Collector was present to discuss the new tax bills. She indicated that the new bills were marked on June 30, 2003. Treasurer Walls indicated the tax bills were present for the Board's information and did not require Board approval. Treasurer Walls estimates the cost savings to be approximately nine thousand six hundred (\$9,600.00) dollars.

9:27 p.m. There being no further business to discuss, it was moved and voted that the meeting be adjourned; All ayes 5-0-0 (voted).

Respectfully submitted,

MINUTES OF THE SELECTMEN'S MEETING
JUNE 30, 2003

Greg L. Balukonis,
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING

August 11, 2003

Present: Selectmen Joseph Musmanno, Joseph Dzikczek, Mary O'Leary, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was absent.

7:04 p.m. – Chairman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Rozanski moved that the Board approve and sign warrants for fiscal year '03 as read for the total amount of \$2,157,851.92 (\$37,196.95—Town bills; \$236,818.18—Withholdings; \$325,643.45—School Department; \$1,558,193.34 – New High School); Selectmen voted to approve 5-0-0.

2. *Public Comments:*

- Paula Duddie, Robin Circle indicated concerns over the hours which construction is allowed by the applicant (Mark Investments/Walgreens). Mrs. Duddie asked what happens if the applicant fails to perform the off-site improvements? Mrs. Duddie commented on the proposed landscape buffers.
- Paul DeSimone stated that he is concerned over three (3) areas of the Planning Board recommendation. He suggested the town should not accept liability for a drainage system on private property. He also addressed his concerns over construction observation on private property. He noted the Building Inspector is the only town official with the authority to enter onto private property.

3. *Land Speed Motor Group Class 2 License Application:*

- Robert Potheau was present. He stated that the GAW Class 3 License is not being surrendered, and he apologized for providing incorrect information to the Board of Selectmen. Selectman Rozanski moved to grant a Class 2 License to Land Speed Motor Group at 4 Main Street. So voted to approve (5-0-0).

4. *Mickey Cassidy – Sign Denial Appeal:*

- Michael Cassidy was present seeking permission to install a sign at 116 Main Street. The location was denied by the Building Inspector because it seeks to erect a sign facing Main Street, where there is already a “Sabina Doyle’s” sign. Chairman Musmanno inquired about whether other businesses at this location would also desire a sign facing Main Street. Selectman Rozanski moved to grant the sign as requested by Mr. Cassidy. So voted to approve (5-0-0).

5. *Mark Investments, Inc., Walgreens 2 Site Plan Review:*

- Matt Hayes and Kent Scott were present to present the Planning Board recommendation for Walgreens 2.

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August 11, 2003

- Attorneys Richard Cornetta and Robert Korff were present, both representing Mark Investments.
- Michelle Carlson from Fuss & O'Neil Engineers was present. She presented that the turning radius questions had been addressed satisfactorily.
- Mr. Cornetta stated that most issues in the 7/18/03 letter from VHB Engineering have been addressed, except for one turning radius discussed tonight and offsite investigation.
- Michelle Carlson spoke on the recommended drainage system appraisals. She noted the proposed system will accommodate a one hundred year storm and there should be less run-off than presently exists.
- The Board entered into discussions about Request WAIVERS.
- Chairman Musmanno inquired about the adequacy of the proposed perimeter fencing suggested by the applicant. Those residents in attendance indicated their support of a fence.
- Chairman Musmanno asked about whether the proposed travel lane on-site is sufficient to handle parking on both sides of the parking lot at the front of Walgreen's. He questioned the turning radius in the parking areas.
- Selectman Rozanski questioned if there were any Americans with Disabilities Act issues that were not addressed by the applicant.
- Selectman Dziczek questioned the existence of parking spaces for oversized vehicles.
- Chairman Musmanno inquired about the gain in green space on the site if the applicant were granted a waiver on the size of parking spaces.
- Selectman Dziczek asked the applicant about HDPE being an acceptable substitute for Class IV concrete pipe.
- The Board next entered into discussions on SPECIFIC CONDITIONS OF APPROVAL.
- Chairman Musmanno commented on whether Medway's bylaws specify times for construction activity.
- Selectman Dziczek suggested that noise levels during construction must comply with town bylaws.

MINUTES OF THE SELECTMEN'S MEETING

August 11, 2003

- Selectman Dziczek asked if the applicant had any problems with a requirement that public ways be cleaned within 24 hours as required by the town.
- Chairman Musmanno questioned why the applicant wants to have proposed roadway improvements reviewed and approved by Medway officials at a later date. Chairman Musmanno raised the same issue with regard to proposed traffic signal improvements.
- The Board engaged in considerable discussions relative to drainage system improvements stated in the Planning Board recommendation.
- Chairman Musmanno inquired if the applicant felt a provision that requires a three year monitoring of the drainage system was acceptable.
- Selectman Dziczek asked who will be responsible for payment of town counsel's time as it relates to proposed on-site drainage easements.
- Chairman Musmanno questioned whether Mark Investments would allow access to undeveloped land to the east of the site.
- The Board acknowledged a request by the applicant to include "subdivisions line" in the section relating to landscape design.
- Selectman O'Leary stated she did not see any difference in the Planning Board recommendation requiring plantings be warranted for one year and plantings be replaced with less than 80% healthy foliage.
- Selectman inquired if all of the trees shown on the site plan were necessary.
- Selectman Rozanski questioned why signage would come before the Board of Selectmen now, under the plan review.
- The Board of Selectmen acknowledged a revised signage plan submitted by the applicant.
- Selectman O'Leary asked about the applicant's preference for operating hours.
- Selectman Williams wants to know if parking lot cleaning, including snow removal is allowed between 10:00p.m. and 6:00 a.m.
- The Board of Selectmen noted the concerns about allowing a letter of credit as a performance guarantee.
- Selectman Rozanski questioned the requirement that sidewalks constructed by the applicant meet town standards, as they are not contiguous to the site.

MINUTES OF THE SELECTMEN'S MEETING

August 11, 2003

- Chairman Musmanno stated the General Conditions of Approval are standard requirements to be incorporated into site plan approval
- Chairman Musmanno explained the public comment portion of the meeting was now opened. Paula Duddie approached the Board of Selectmen with her comments about the project.
- Chairman Musmanno closed the public comment period and noted the Board of Selectmen will deliberate the Mark Investments application at the 8/25/03 meeting.

4. Report of the Town Administrator:

- Administrator Balukonis, reported on the Planning Consultant and RFP. He stated the Planning Board assisted with the interviews of three consultant firms. It was a unanimous recommendation to select PGC Associates of Franklin as the Towns Planning Consultant for a one year period.
- Administrator Balukonis, reported that he attended a recent meeting at Dean College with Lieutenant Governor Kerry Healy. He mentioned that concerns were expressed about the SBAB and EPA Stormwater Programs.
- Administrator Balukonis, indicated an all-department board and committee meeting is scheduled for 9/15/03. The purpose of this meeting is to formally kick-off the fiscal year budget process.

5. Reports of the Selectmen

- Selectman Dziczek mentioned that new stickers are now in effect for the Recycling Center.
- Selectman Dziczek stated that the Commission on Disabilities is meeting with the Town Administrator tomorrow evening at the Senior Center.
- Selectman O'Leary reported that she is awaiting a meeting as the Board of Selectmen designee on the Council on Aging/Camp Sunshine issue. She expects the sub-committee to meet in September.
- Selectman Williams addressed an allegation of wrongdoing made against a town employee. He stated that he previously reserved the right to bring the matter before the Board of Selectmen if he was not satisfied with the Town Administrator actions. Selectman Williams believes the Town Administrator's actions were woefully inadequate. Selectman Williams provided written statements from two former town accountants to the other Board members. Selectman Williams suggests the Board of Selectmen convene an executive session under Section #2 of the Open Meeting Law. He believes the correct action that should be taken is the termination of the town employee in question.

MINUTES OF THE SELECTMEN'S MEETING

August 11, 2003

- Selectman O'Leary stated that she was satisfied with the Town Administrator's action.
- Selectman Rozanski indicated there is potential for criminal misconduct, and she feels the Board of Selectmen needs to review the matter.
- Selectman Williams acknowledged the Town Administrator had not been given the statements presented by Selectman Williams this evening.
- Chairman Musmanno agreed the individual mentioned in Selectman Williams complaint should be present for the Board of Selectmen to review this matter in Executive Session.
- Selectman Rozanski moved this matter be placed as an upcoming agenda item in executive session, Reason #2. Selectmen voted to approve (4-1-0).
- A question was raised relative to a sidewalk improvement plan. Selectman Dziczek stated that he is not ready to report tonight.
- The Board of Selectmen signed the revised Site Plan for 162 Village Street Realty Trust.
- The Board of Selectmen signed the Liquor License for Mickey Cassidy's Restaurant at 116 Main Street.

6. Report of the Chairman.

- Chairman Musmanno reported the Board of Selectmen conducted its annual performance evaluation of Greg Balukonis. Overall, the Board of Selectmen was pleased with Mr. Balukonis' performance.
- Chairman Musmanno asked the opinion of the Board of Selectmen members with regard to contract negotiations with Administrator Balukonis. It was agreed to discuss this matter at a later date.
- Chairman Musmanno attended a meeting with Administrator Balukonis on the Regional ETA designation.

Board Other Business:

- Selectman Dziczek moved to continue Board with other business after 10:00 p.m.. So voted (5-0-0)
- D.P. Groups LLC, Common Victualler License. Selectman Rozanski expressed concerns about granting a license without the Board of Health approval. Selectman

MINUTES OF THE SELECTMEN'S MEETING

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Williams moved to grant a license to D. P. Groups to operate Seafood Express at 98 Main Street. So voted (4-1-0).

- Park Commission – Legal Counsel Request. The Board of Selectmen considered a five (5) page letter submitted by the Park Commission for a meeting to discuss various legal questions. Selectman O'Leary moved to forward the request submitted by the Park Commission for review and response by Town Counsel and to reply to the Board of Selectmen. So voted (5-0-0).

There being no further business to discuss, the meeting was adjourned at 10:37 p.m..

Respectfully submitted,

Greg Balukonis
Town Administrator

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 25, 2003

Present: Selectmen Joseph Musmanno, Mary O'Leary, Raphaela Rozanski, and John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Joseph Dziczek was not present.

7:00 p.m. – Chairman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Rozanski moved that the Board approve and sign warrants for fiscal year '03 as read in the total amount of \$829,133.75 (\$412,702.49—Town bills; \$16,749.03—Withholdings; \$4,925.00—School Bills; \$1,000.00—New High School bills); All ayes 4-0-0 (voted).

2. *Public Comments:*

- Mr. Paul DeSimone approached the Board to discuss the part-time planner and town engineer positions and was asked by Chairman Musmanno to please contact the Board office to make an appointment to be placed on the Agenda as this item is best suited for a discussion item rather than a public comment item and also, the present agenda could not accommodate any more discussion business.
- Mr. Andy Rodenhiser approached the Board and asked what it would take to place proposition 2 ½ on the next ballot or at town meeting. Chairman Musmanno explained that the Board has previously voted

4. *Town Official Updates::*

5. *Report of the Town Administrator:*

- Town Administrator, Mr. Balukonis, reported
- Town Administrator, Mr. Balukonis reported
- Lastly, Town Administrator, Mr. Balukonis, reported

6. *Reports of the Selectmen*

- Selectman Dziczek
- Selectman O'Leary reported
- Selectman Musmanno.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 25, 2003

- Selectman Williams highlighted "Today in World History" facts and "This Week in Medway History" facts.

7. *Report of the Chairman.*

- Selectman Rozanski
- .

p.m. There being no further business to discuss, Selectman moved that the meeting be adjourned; Selectman seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

MINUTES OF THE SELECTMEN'S MEETING

September 22, 2003

Present: Selectmen Joseph Musmanno, Joseph Dziczek, Mary O'Leary, John Williams, and Administrative Services Assistant, Celeste Hanson. Selectman Raphaela Rozanski and Town Administrator, Greg Balukonis, were absent.

7:00 p.m. – Chairman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '03 as read in the total amount of \$891,762.76 (\$162,916.22—Town bills; \$15,793.46—Withholdings; \$1,500.00—New High School); Selectman O'Leary seconded; All ayes 4-0-0 (voted).

2. *Public Comments:*

- A resident came forward and voiced concerns relative to parking and hours of operation regarding the Medway Dog Park. On several occasions patrons have brought their dogs to the park at 5:00 and 5:30 a.m. and were unable to control their pet creating a disturbance; another area of concern is that the parking lot is unable to accommodate the many patrons who utilize the park; therefore, patrons have taken to parking on Village and Cottage Streets creating a safety for the motoring public. The Administrative Services Assistant confirmed that the Dog Park hours of operation were governed by standard State Park hours of dawn to dusk; and also, that according to the Animal Control Officer, residents witnessing or hearing disturbances from the dog park are asked to report such to the Medway Police Department and she will investigate further. Chairman Musmanno acknowledged the resident's concern and suggested that such be referred on to the Park Commissioners for further action/resolution.

3. *Reports of the Selectmen*

- Selectman O'Leary reported that the subcommittee regarding the Council on Aging and the Sunshine Group has not convened but is scheduled to meet soon to discuss suggestions and solutions to usage of the Senior Center by all interested parties. Selectman O'Leary also mentioned, with sadness, the announcement of Dr. Bettencourt's retirement. Selectman O'Leary announced that the Housing Authority was awarded a Federal Grant that would allow for more work to be done at Mahan Circle.
- Selectman Williams read a very moving article entitled "Letter Home" in honor of the many men and women who defend our country.

4. *Discussion of Road and Sidewalk program:*

- Chairman Musmanno asked the Board members how they would like to proceed relative to the Road and Sidewalk program.

MINUTES OF THE SELECTMEN'S MEETING

September 22, 2003

- Selectman Dziczek stated that the task and a target date should be given to the Town Administrator to coordinate with the respective departments rather than opening the subject to the Public as everyone will feel that their road/sidewalk should be given priority.
- Selectman O'Leary supported Selectman Dziczek suggestion of having the Town Administrator coordinate the plan.
- Selectman Williams also supported having the Town Administrator coordinate the plan and would first like an update of the Road and Sidewalk plan covering three to four years to include the DPS department's projected costs and priority recommendation. Then would like to discuss a financial plan and such as an open Board with the Town Administrator and DPS Department.

5. Request for Solicitors Permit Application—G.O.'s Innovators:

- Chairman Musmanno acknowledged the Solicitors Permit Application submitted by G.O. Innovators, an independent contractor requesting to sell books and magazines by soliciting Medway residents door-to-door. Chairman Musmanno also brought to the Board's attention, correspondence submitted by Lt. Allen Tingley relating to background checks performed on the individuals who would be soliciting door-to-door which highly suggested that this permit not be granted based on the information the contained in the background checks.
- Selectman O'Leary moved to deny the Solicitors Permit request by G.O. Innovators based on the response from the police department; Selectman Dziczek seconded; all aye (4-0-0). (Solicitors permit not approved).

6. Site Plan Extension—K&H Realty (Rypos, Inc.), 3 Industrial Road:

- Selectman O'Leary moved to extend the site plan extension request; Chairman Musmanno amended Selectman O'Leary's motion to extend the K & H Realty (Rypos, Inc.) site plan extension request for 120 days seconded by Selectman O'Leary; all aye (4-0-0).

7. Sign Appeal--Marian Community Center, 154 Summer Street:

- Mr. Cam Afonso of Alpha Sign & Awing came forward and stated that he has been contracted by the Marian Community Center to erect a twenty four square foot sign on the property located at 154 Summer Street and was also asked by the Marian Community Center to represent them relative to the sign appeal.
- Chairman Musmanno asked Mr. Afonso if he was in receipt of the letter of denial forwarded to Mr. Coppa from the Building Inspector, Mr. Speroni. Mr. Afonso indicated that he was in receipt of the denial letter and was ready to go forward on behalf of the Marian Community Center. Mr. Afonso indicated that the Marian Center was requesting the Board to appeal the decision of the Building Inspector and approve installation of a double-sided, twenty four square foot sign as the six

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square foot sign was too small and further, the smaller sign would not be as visible to drivers indicating the location of the site.

- Chairman Musmanno indicated that the plans call for a two foot setback which may be a violation of another zoning by-law requiring a ten foot setback.
- Selectman O'Leary asked if the sign could be erected on top of the stone wall. Mr. Afonso indicated that the sign could not be erected on top of the stone wall.
- Selectman Williams stated he did not feel that the size of the sign was not an issue taking into consideration the building and the property. Chairman Musmanno also agreed with Selectman Williams and stated that he did not consider the small sign to be a hardship.
- Selectman O'Leary asked if the sign could be set into the stone wall and further stated that one of the problems with the double-sided twenty four square foot sign is that the Community Center is located in a residential area and the zoning by-law calls for the smaller sign. Mr. Afonso stated that he could set the sign into the stone wall; but the costs associated with setting the sign in the wall would be a problem for the Community Center.
- Selectman Dziczek moved to deny the sign appeal request to erect a double-sided, twenty four square foot sign by the Marian Community Center; seconded by Selectman Williams; 3 ayes with Selectman O'Leary voting nay (3-1-0)—appeal denied.

Discussion Items:

Consideration of fall special town meeting:

- The board discussed the possibility of a special town meeting and decided that no dates would be entertained until warrants were submitted for review. Chairman Musmanno urged that all boards to submit warrants to the Town Administrator as soon as possible for consideration of a fall town meeting.

Board/Committee Vacancies:

- Chairman Musmanno announced two committee vacancies on the CIPC and Medway Pride Day Committee and encouraged anyone who might be of interest in serving on either committee to contact the Town Administrator's office.

Site Plan Modification for Medway Commons:

- The Board acknowledged notification from the Planning Board relative to a request from McDonald's Corporation to amend the Medway Commons Site Plan which would be discussing the item at the Planning Board's September 30, 2003 meeting.

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7:50 p.m. There being no further business to discuss, Selectman Williams moved that the meeting be adjourned; Selectman Dzikzek seconded; All ayes 4-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

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DECEMBER 1, 2003

Present: Selectmen Joseph Musmanno, Joseph Dzikczek, Mary O'Leary, Raphaela Rozanski, and John Williams, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson, was absent

7:03 p.m. – Chairman Musmanno called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. *Approve and sign warrant:*

- Chairman Musmanno moved that the Board approve and sign warrants for fiscal year '03 as read by Selectman Rozanski in the total amount of \$1,010,784.52 (\$244,582.80—Town bills; \$56,395.42—New High School Project; \$8,195.00—Student Activity; \$75,243.36 Town Payroll; \$626,367.19 School Department Payroll); Selectman Williams seconded; All ayes 5-0-0 (voted).

2. *Public Comments:*

- Robert Dubovsky was present to address his views on the Middle School roof. He will withhold additional comments until the Municipal Building Committee decides what actions it intends to take in the future concerning roof replacement.

Mr. Dubovsky indicated the Affordable Housing Committee is understaffed. He is afraid there was not enough public comment on the Apple Farms Estate Affordable Housing Proposal. Chairman Musmanno referred Dubovsky to the ZBA, which is due to review the Chapter 40B application on December 9, 2003.

3. *Town Official Updates:*

- **Tax Classification Hearing**

Selectman Rozanski read the legal notice for the Fiscal year 2004 Tax Classification hearing. Britt Hall, Administrative Assessor Appraiser, and Chairman Harry Johnson and Sandra Bennett, representing the Board of Assessors were both present.

Mr. Hall presented that the Selectmen adopt a single tax rate option, adopt a residential factor of one, and maintain prior year options concerning open space exemptions. Mr. Hall stated the maximum allowable levy in Fiscal 2004 is \$17,728,386.00.

Chairman Musmanno asked if there was public comment. There was no one present to speak at the hearing.

Selectman Dzikczek moved to adopt the Board of Assessors recommendation for a single tax rate and residential factor of one; seconded by Selectman O'Leary. All ayes 5-0-0 (voted).

Mr. Johnson stated he had been awaiting information from town departments before setting the tax rate. Mr. Johnson expressed his frustration about not having amounts to confirm for local estimated receipts. He explained the town can not spend funds from

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the overlay without a vote of town meeting. Chairman Musmanno stated the Board of Selectmen expects to approve the levy limit and tax rate on December 15, 2003. Mr. Hall agreed to inform the members of the Board of Selectmen of the necessity for a special meeting, if such actions are required for reasons noted by Mr. Johnson.

Mr. Johnson indicated the assessors were to present the Board of Selectmen with an update on the GIS, which had been postponed. The Board of Selectmen is waiting on Allen Fraser's availability right now and hopes he will lead the discussion on GIS.

Fire Chief Vinton

The Board passed over this agenda item due to a fire call requiring Chief Vinton's presence elsewhere.

Sign Denial Appeal- Medway Commons

Gary McCoy from Poyant Signs and Karen Johnson from Charter Realty were present.

Board of Selectmen members reviewed the specific sign denials for appeal.

It was agreed the Board of Selectmen would hear two separate appeals for relief: 1) internal illumination of the Main Street sign; 2) location of an off premises sign on Main Street.

Karen Johnson spoke on behalf of Charter Realty. She explained one pylon sign was to be located on Main Street for Shaws and all other businesses in the plaza. It happens that one pylon sign would not be on the same parcel as Shaws. Ms Johnson pointed out the zoning bylaw allows three (3) signs, one for each individual lot at Medway Commons, although Charter desires only one free standing sign for all businesses on Main Street. Ms Johnson stated that Charter Realty seeks an internally lit sign, as originally proposed at the same location.

Selectman Williams moved, and Selectman O'Leary seconded, to grant relief under the zoning bylaw to allow erecting a pylon sign on Medway Commons Lot AA, therefore permitting an off-premises sign at this location. Chairman Musmanno asked the lots to be included on the sign are Lots AA, BB, and CC. Approved (5-0-0).

Jim Wieler asked if the remaining design issues before the Board of Selectmen concerning the sign be referred to the Design Review Committee.

Selectman Rozanski moved, and Selectman O'Leary seconded, to grant relief for internal sign illuminations, as proposed by Charter Realty.

Selectman Dziczek moved to amend, and Selectman Williams seconded, by directing this matter to the Design Review Committee for its recommendation. Voted to approve (3-2-0).

Selectman O'Leary moved to provide referral to the Design Review Committee be only on the basis of "internal illuminations". Voted to approve (3-2-0).

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Main motion to refer to the Design Review Committee for its recommendation on internal illumination only. Voted to approve (3-2-0)

Note: Selectman Rozanski's motion was not acted on because of the votes taken on other motions first.

Renewal of Annual Licenses

Selectman Williams approved the list of 2004 license renewals, except Golden Jade and Medway Lotus liquor licenses to be held pending submission of additional information by the Town Administrator.

Selectman Williams suggested the Town look into licensing requirements for a livery license for LeLimo limousine service.

Selectman Rozanski moved, and Selectman O'Leary seconded, to approve the relocation of telephone poles at Main and Holliston Streets. So voted (5-0-0) with the understanding forms certifying this vote will be acted on at a later date.

4. Report of the Town Administrator:

- Administrator Balukonis, acknowledged written notice by the Board of Assessors confirming a vote to release \$164,000.00 from the Overlay Revenue account to be applied toward the Fiscal 2004 budget.
- Administrator Balukonis presented a preliminary estimate of sources and uses of funds for Fiscal 2005. He noted the estimate assumes the school budget as submitted by the School Committee at \$20.3 million and the opening of the new High School at \$1.3 million. The total deficit is shown at \$1,946,525.00. He asked the Board to consider what actions it would like to take in view of the shortfall. Selectman Williams questioned the percent change shown between FY 2004 and 2005 revenues. Administrator Balukonis stated this sheet will be updated as budgets are submitted.
- Administrator Balukonis stated that he wanted to clarify Harry Johnson's remarks about the town finances not being correct in his opinion.
- Administrator Balukonis indicated the Town Hall boiler system will likely need to be replaced in the upcoming weeks at a cost of \$20,000 to \$25,000. The town has an appropriation of \$160,000 for Town Hall capital improvements that is unused. Administrator Balukonis will present his recommendation to the Board of Selectmen once proposals for boiler replacement are received.
- A request to relocate approximately ten (10) telephone poles at Holliston & Main Streets was presented by the Town Administrator. Administrator Balukonis explained this is necessary to accommodate road improvements under the Medway

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Commons Project. No public hearing is required. Chairman Musmanno requested the matter be tabled for discussion later in the evening.

- Administrator Balukonis informed the Board that the Town was recently named as a defendant in a small claims action for a pothole claim on Summer Street. A copy of the complaint will be provided to Board members, and to the Town's insurer.
- Lastly, Administrator Balukonis mention that a Chapter 40B seminar was being offered in Wrentham on December 8th.

5. *Reports of the Selectmen*

- Selectman Rozanski moved tjo approve the relocation of telephone poles at Main and Holliston Streets with the understanding that forms certifying this vote will be acted on at a later date; seconded by Selectman O'Leary; so voted (5-0-0).

6. *Report of the Chairman.*

- None provided

Selectman Williams moved to enter into executive session for strategy sessions with respect to negotiation with non-union personnel and not return to open session. The Roll Call vote: Selectman O'Leary – Aye, Selectman Williams – Aye, Selectman Dziczek – Aye, Selectman Rozanski – Aye, and Chairman Musmanno – Aye.

The regular Board of Selectmen's meeting was adjourned at 9:40 p.m. and the Board entered into Executive Session.

Respectfully submitted,

Greg Balukonis
Town Administrator

MINUTES OF THE SELECTMEN'S REGULAR MEETING

December 22, 2004

PRESENT: Selectmen Joseph Dziczek, John Williams, Mary O'Leary and Joseph Musmanno; Town Administrator, Greg Balukonis, Administrative Services Assistant, Celeste Hanson; Selectmen Raphaela Rozanski was late and arrived at 6:15 p.m.

At 6:00 p.m. Chairman Musmanno called the Board of Selectmen meeting to order, all stood for the Pledge of Allegiance.

1. Approval of Warrants:

- Selectman O'Leary moved that the Board approve and sign the warrant as read by Chairman Musmanno totaling \$674,650.30 (\$432,506.24--Town Bills; \$16,916.64--Withholdings; \$83,628.75--Gross Town payroll and \$141,598.67--School payroll) seconded by Selectman Williams; All ayes 4-0-0 (voted)

2. Approval of Minutes:

- Selectman Williams moved to table the approval of minutes for the December 1, 2003, regular session minutes to the January 5, 2004, board meeting seconded by Selectman O'Leary.

3. Fire Chief Vinton, presentation of two donated defibrillators.

- Chief Vinton approached the Board and stated that Jeffery Mushnick, donated two defibrillators in memory of his uncle, Sam Mushnick, who recently passed away. Chief Vinton indicated that one defibrillator would be placed at Town Hall and one at the Senior Center, the two places that Sam spent most of his time. Chief Vinton stated that the two defibrillators are "lay defibrillators" that actually give step-by-step instructions for the individual using the equipment and both are in alarmed cabinets. Chief Vinton indicated that training would be provided to all employees on use of the defibrillators. Chief Vinton then introduced Jeffery Mushnick to the Board.
- Mr. Mushnick stated that he deeply appreciated the recent efforts of the Fire Chief and Fire Department and wanted to show his appreciation to the Town that had been so good to his family and uncle. Mr. Mushnick indicated that as a result of his conversations with Chief Vinton he felt that the Town Hall and Senior Center were the best places for the defibrillators since his uncle spent most of his time there.
- Chairman Musmanno expressed condolences on behalf of the Board and thanked Mr. Mushnick for his thoughtful gift.

4. Board of Assessors—Approval of 2004 Tax Rate.

- Chairman Johnson passed out a copy of the Tax Rate Recapitulation sheet and explained the detail to the Board and indicated an increase from last year.

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- Chairman Musmanno asked if the unresolved items from the prior week were corrected. Chairman Johnson indicated that he spoke to Town Counsel and the Accountant from the Department of Revenue and both suggested that the Town raise funds that had been mistakenly appropriated at a prior Town meeting to correct the issue. A brief discussion followed.
- Selectman Williams moved to acknowledge and approve the excess levy capacity; seconded by Selectman O'Leary; All ayes 5-0-0 (voted).

5. Report of the Town Administrator:

- Administrator Balukonis reported that all annual licenses had been approved and in the process of being distributed and pick up by the establishments. Administrator Balukonis also reported on the issue of all-year Sunday liquor sales as recently passed by legislation and explained that Chapter 141 of the acts of 2003 permits all-year Sunday liquor sales which applies to package stores and must be approved by the local licensing authority. Administrator Balukonis reported that the seasonal Sunday liquor sales permits would expire on December 28, 2003, and that local package stores are prohibited from selling liquor on Sunday until the Selectmen grant approval. Administrator Balukonis recommended that the Board schedule the matter for further discussion and conduct a public hearing. The Board entered into a brief discussion; Selectman Williams stated that he would like to further discuss the matter at Public Hearing; seconded by Selectman O'Leary; (4-1-0), Chairman Musmanno amended the motion to approve the local option; said motion was not seconded and dissolved. The Chairman directed the administrative staff to schedule a public hearing for January 26, 2004.
- Administrator Balukonis reported on the livery services issue and stated that Chief Saleski did some investigation into the matter and forwarded Senate Bill No. 1375, copies of which were passed out to the Board for review. Chief Saleski reported that the Town did not have anything in the bylaws that would permit such services. Selectman Williams thanked the Town Administrator for his report and noted that he thought the matter might be a way for the Town to gain income. Administrator Balukonis indicated that he would continue to research the issue and follow up as information becomes available. Selectmen briefly discussed the matter and Selectman Rozanski moved to direct that the Town Administrator investigate the issue further; seconded by Selectman Dziczek; ayes 4; 1 nay (Chairman Musmanno) (voted).

6. Reports of the Selectmen:

- Selectmen O'Leary and Rozanski did not have a report.
- Selectman Williams wished Happy Holidays to all present and all residents listening from home.

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December 22, 2004

- Selectman Dziczek reminded residents listening that the Board of Health does not conduct hazardous waste pick up during the winter season and pick up would resume in the spring.
 - Chairman Musmanno reminded the Board to review the MMA Legislative Bulletin and the correspondence from Congressman McGovern regarding high-priority projects. Selectman Rozanski noted that Summer Street should be one of the high-priority projects. Selectman Dziczek stated that he also knew of several others that could be considered high-priority projects and suggested that proposals of high-priority projects be coordinated through the Chairman or reported under the selectmen reports in the future.
7. Approval of CCD 39 as recommended by the Municipal Building Committee:
- Selectman Dziczek moved that the Board approve and authorize the Chairman to sign CCD 39 as recommended by the Municipal Building Committee; seconded by Selectman O'Leary; All ayes 5-0-0 (voted).

6:45 p.m. There being no further business to discuss Selectman Williams moved that the Board adjourn to enter into Executive Session for reason number 3 with the intent not to return to regular session; seconded by Selectman Dziczek; roll call vote, Selectman Dziczek—aye; Selectman Williams—aye; Selectman O'Leary—aye; Selectman Rozanski—aye; and Chairman Musmanno—aye. (5-0-0 voted). Chairman Musmanno excused Administrator Balukonis and the Administrative Services Assistant from the executive session.

Respectfully submitted,

Celeste R. Hanson
Administrative Services Assistant

Approved by BOS

MINUTES OF THE SELECTMEN'S MEETING

December 31, 2003

A Special Meeting of the Board of Selectmen was called to order at 6:00 p.m. with Chairman Musmanno, Selectman Dziczek, and Selectman Rozanski present. Town Administrator Balukonis, Treasurer Barbara Wall and Harry Johnson were also present.

Selectman Rozanski moved that the Board of Selectmen accept Chapter 158, Section 1 of the Acts of 2003 providing for mailing of the 3rd quarter tax bills after 12/31/03. It was so voted (3-0-0)

There being no further business to discussed, the meeting was adjourned at 6:02 p.m..

Respectfully submitted,

Greg Balukonis
Town Administrator