

MINUTES OF THE SELECTMEN'S MEETING  
JANUARY 5, 2004

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

- It was moved and voted that the Board approve and sign warrants for fiscal year '03 as read by Selectman Rozanski in the total amount of \$ (\$36,392.30—Town bills; \$227,229.78—Withholdings; \$25,319.00—High School Construction Project; \$78,428.17—Town payroll); All ayes 4-0-0 (voted).

**2. *Report of the Town Administrator:***

- Chairman Musmanno noted that Administrator Balukonis submitted documents to the Boston MPO indicating that the Summer Street reconstruction project is the number one priority on the TIP list.

**3. *Reports of the Selectmen***

- Selectman O'Leary reported that the School Committee is hosting a focus group for the hiring of a new school superintendent. She suggested that interested persons contact the school department
- Chairman Musmanno referred to the mutual aide agreement and suggested that Administrator Balukonis and the DPS director look into additional mutual aide agreements as part of the Town's emergency preparedness plan.
- Chairman Musmanno stated that he received a letter addressed to the Finance Committee Chairman involving the fiscal 2005 Tri-County School budget presentation.
- Chairman Musmanno reminded Board members about Congressman McGovern's prior correspondence regarding federal project that may assist Medway.
- Chairman Musmanno updated the Board on the ongoing discussion relating to the proposed TIF agreement.

**4. *Charter Realty--Site Plan Modifications***

- Karen Johnson was present representing Charter Realty. Ms. Johnson indicated that the Certificate of Planning Board Recommendation is acceptable to Charter Realty. Ms. Johnson also stated that Charter Realty has paid the outstanding balance due to the Planning Board in response to a letter in the Selectmen's meeting packets.
- Dan Hooper, Planning Board member stated he was available to answer questions by the Selectmen. Mr. Hooper addressed the Planning Board recommendations.

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- Selectman O'Leary moved to approve modifications to the Medway Commons Site Plan according to the recommendations of the Planning Board.
- Chairman Musmanno moved to amend by deleting item number one contained in the recommendations and to renumber accordingly. So voted to approve Chairman Musmanno's amendment (3-0-0).

**5. Charter Realty—Appeal of the Building Inspector's Pylon sign decision.**

- Karen Johnson stated that she felt that the Design Review Board was comfortable with the most recent proposal by Poyant Signs. Ms. Johnson stated the overall sign height was lowered to twenty feet (20'), as suggested by the Design Review Board.
- Selectman Rozanski believes the Police Safety Officer needs to review the sign to ensure the sign can be lowered as suggested. (No action was taken on the request.)
- Selectman Rozanski moved to allow the variance for the internal illumination of the Medway Commons sign with the provision that the main sign panel be turned off by 11:00 p.m. as presented. So voted (3-1-0) to approve the sign for Charter Realty.

**6. Annual Town Meeting Warrant.**

- Selectman Rozanski moved to open the Annual Town Meeting Warrant effective January 5, 2004. So voted (4-0-0).

**7. One Day All Liquor License**

- Selectman O'Leary moved to grant the one-day all alcohol permit to Saint Joseph's Parish Center for Saturday, January 17, 2004; from 6:00 p.m. to midnight. The Selectmen will sign the license at their next scheduled meeting.

**8. Town Updates:**

- Chairman Musmanno acknowledged the letter submitted by the Chairman of the Municipal Building Committee placing Eastern Contractors and their bonding company on notice concerning failure to achieve substantial completion by October 2003.

*8:35 p.m. There being no further business to discuss, it was moved and voted that the Board of Selectmen's meeting be adjourned; All ayes 4-0-0 (voted).*

Respectfully submitted,

Greg L. Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SELECTMEN'S REGULAR MEETING  
JANUARY 12, 2004

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

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 number 28 for fiscal year 2004 as read by Selectman Rozanski in the total amount of \$2,104,530.44 (\$254,603.34—Town bills; \$146,349.21—Withholdings; \$166,283.41—School bills; \$2,392.40—Student Activities; \$860,380.81—New High School building; \$72,225.51—Gross Town payroll; \$602,296.16—School payroll); Selectman O'Leary seconded; All ayes 5-0-0 (voted).

**2. *Approval of Minutes:***

- Selectman Rozanski moved to approve special session meeting minutes of December 31, 2003; Selectman Dzikczek seconded; (Selectmen O'Leary and Williams abstained) 3-0-2 (voted).
- Selectman Musmanno moved to approve regular session meeting minutes of December 1, 2003, with amendments; Selectman Williams seconded; All aye 5-0-0 (voted).

**3. *Mr. Allan Fraser, Member; Board of Assessors GIS Map Update:***

- Mr. Allan Fraser, Member of the Board of Assessors was present and gave a brief GIS map update and mentioned that the Board of Assessors have been working to correct the GIS maps. Mr. Fraser indicated that the Assessors performed the map update as a result of a state grant which covered the services of the outside vendor updating the maps. Mr. Fraser explained that the maps are presently up to date; however, the problem is that the GIS maps are a snap shot in time and as parcels are added, the current data becomes obsolete. Mr. Fraser indicated that the Assessors are continuing to work with DeLauriers to assist in keeping the maps up to date and that several layers can be added to enhance the maps which would involve an additional cost per updated parcel. Mr. Fraser indicated that the Planning Board is in agreement that this service is very beneficial and is in full support of the ongoing process. Mr. Fraser stated that as a result, the Board of Assessors and the Planning Board are hopeful that the Selectmen would also support to the ongoing process.
- Chairman Musmanno inquired if the town has to use the same current firm (DeLauriers) involved with the updates, should the Board of Selectmen choose to support the proposed plan. Mr. Fraser indicated that any architectural firm could perform the task required and that perhaps the Town could bid for services should approval be granted.

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- Selectman Rozanski mentioned that the Registry in Dedham uses a similar system and saw a demonstration at an MAPC meeting and did not recall there being a lot of cost involved.
- Selectman Dziczek asked how the cost for the services would or could be factored out. Mr. Fraser indicated that a fee would be charged per parcel update. Selectman Dziczek also asked if a charge would be incurred if work was being performed by the Town. Mr. Fraser stated that how to charge the Town had not been thought out as present but that a fee schedule could be prepared for later discussion.
- Chairman Musmanno asked if the Board of Assessors voted to accept the proposed process and if he knew the vote of the Planning Board. Mr. Fraser stated that the Board of Assessors did unanimously vote to accept the proposed process; however, he did not know if the Planning Board actually voted on such.
- Chairman Musmanno inquired about the access for the database. Mr. Fraser stated that the Assessors were hoping to load the database on the Town's website and the current counter computer located at the Board of Assessors Department.
- Selectman Rozanski asked what action the Assessors were soliciting from the Selectmen—Mr. Fraser stated that the Assessors were hoping that the Selectmen would adopt a policy and procedure which would require all involved Boards and departments to add to their current processes.
- Chairman Musmanno suggested that the Board of Selectmen elect a board volunteer to meet with the Assessors and report back to the Selectmen at their next scheduled meeting of January 26, 2004. (a brief discussion among the Selectmen followed which resulted with Selectman Dziczek volunteering for the task).

**4. *Report of the Town Administrator:***

- Administrator Balukonis briefly updated the Board regarding the status of the Town's fiscal 2004 Group Health Benefit System and provided each board member with a handout of the current financial status. Chairman Musmanno inquired if a remedy was in place to correct the shortfall and if a special town meeting would be required. Administrator Balukonis informed the Chairman and Board members that it was his opinion that no immediate action was required at the current time because there were sufficient funds available in the insurance trust fund and also, that discussions have commenced to increase the employee contribution of the health insurance benefit. Administrator Balukonis stated that the Group Health Benefit System closes at the end of April and would have a better idea of the financial situation then and would update the Board at that time.
- Administrator Balukonis reported that the State had officially approved the tax rate and that the tax bills would be mailed the following day, January 13, 2004; Administrator Balukonis stated that taxes would be due by February 13, 2004, and encouraged that residents carefully read over the tax bills as the new format is in two parts.
- Administrator Balukonis informed the Board that he had the previously approved one-day all liquor license ready for written authorization.

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- Lastly, Administrator Balukonis informed the Board that he recently received correspondence from the Environmental Protection Agency indicating that the Town was negligent in submitting the Stormwater Discharge Permit as required by the Commonwealth. The Administrator reported that his records indicated that the Director of the Department of Public Services was directed to prepare the required Notice of Intent (NOI), which was reviewed and approved on July 29, 2003, and the Director was further instructed to file the NOI with the Regional EPA Office. Administrator Balukonis stated that it appears that the EPA has no record of Medway's submittal and would immediately forward a copy to avoid any other problems. Selectman Dzcziek asked if the Town would incur a cost for this permit. Administrator Balukonis responded that there was no cost involved at the current time, but that a cost to the Town would incur sometime in the future.
- Chairman Musmanno asked Administrator Balukonis if he could give the Board a quick update on the current budget status. Administrator Balukonis indicated that the departments have submitted their budgets and is ready to start reproducing such and give a partial recommendation to the Board at their next meeting. Chairman Musmanno indicated that he wanted to be ready as soon as possible and start discussion of the budget hearings at the next Board meeting. Chairman Musmanno also requested that the Town Accountant give a quarterly update at the next meeting.

**6. *Reports of the Selectmen***

- Selectman Dziczek reported that the Board of Health has mailed a new, updated Curbside Chronicle and encouraged all residents to carefully read it over and keep it for future use; and also stated that extra copies are available at the Board of Health Office.
- Selectman O'Leary stated that she was planning to attend the next school committee meeting regarding the search for the new superintendent scheduled for Tuesday, January 13, 2004, at 11:00 a.m. or 7:00 p.m. and encouraged all residents to attend if available.
- Selectman Rozanski updated the Board regarding State budget discussion and how such could affect the Town. Selectman Rozanski further stated that Representative Vallee and Senator Magnani are in full support of not cutting local aide. Selectman Rozanski proudly stated that she recently accepted the nomination to the MIIA Insurance Board. All Board members congratulated her.
- Selectman Williams did not have a report this week.

**7. *Report of the Chairman.***

- Chairman Musmanno gave a brief update regarding the ongoing sewer extension discussions with Glen Trindade that includes the Alder Building in the Route 495 Business Park and reported that a potential tenant has been identified. Chairman Musmanno indicated that the sewer extension project may incur some additional cost which would require a Town vote and anticipates discussions with the

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Water/Sewer Department and the Industrial Development Commission to occur within the next few weeks and will update the Board shortly thereafter. Chairman Musmanno asked the other Board members to prepare any questions, comments or concerns regarding the project for upcoming discussions.

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*8:10 p.m. There being no further business to discuss, Selectman Rozanski moved that the meeting be adjourned; Selectman Williams seconded; All ayes 5-0-0 (voted).*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

*NOTE: APPROVED BY BOS ON*

# **BOARD OF SELECTMEN'S REGULAR SESSION MINUTES**

## **JANUARY 26, 2004**

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

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

### **1. Approve and sign warrant:**

- Selectman O'Leary moved that the Board approve and sign warrant number 30 as read by Selectman Rozanski totaling \$942,859.62 (\$92,606.50--Town Bills; \$150,501.98—Withholdings; \$79,905.70—Gross Town payroll and \$616,845.44—School payroll) seconded by Selectman Dziczek; All ayes 4-0-0 (voted)

### **2. Public Comments:**

- Mr. Robert Dubovsky approached the Board regarding a personnel issue he had with a Town employee and was seeking an apology from the employee. Administrator Balukonis stated he regretted the comment of Friday last and that he did not mean for Mr. Dubovsky to take offense to such. Mr. Dubovsky was pleased with the acknowledgement.
- Mr. Dubovsky then asked to give a report of the Memorial School Roof. Chairman Musmanno reminded Mr. Dubovsky that the Board was not going to hear any more commentary relative to roofs. Mr. Dubovsky stated that he had a positive report that he wanted to share with the Board regarding the roof and stated that he was pleased that the flashing has been repaired within the past twenty four to forty eight hours. Mr. Dubovsky also asked if he could get permission from the Board to take pictures of the roof using a bucket truck because school officials informed him that he would not be given permission to go on the roof due to liability issues. Selectmen Dziczek stated that he would coordinate the request for Mr. Dubovsky.

### **3. Approval of Minutes:**

- Chairman Musmanno moved to approve the regular session minutes of January 5, 2004, with amendments, Selectman O'Leary seconded; All ayes 4-0-0 (voted).

### **4. Public Hearing—Sunday Liquor Sales, chapter 141 of the Acts of 2003**

- The public hearing notice was read by the Clerk regarding all-year Sunday liquor sales. Chairman Musmanno asked if anyone was present wishing to be heard on the matter. Mr. Steve Lawton, owner/manager of The Little Store came forward and presented a petition that he asked residents and patrons of his store to sign supporting the all-year Sunday sales of liquor. The petition was read by Chairman Musmanno noting numerous signatures of people. It was also noted that the petition was not verified by the Town Clerk.

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### **JANUARY 26, 2004**

- Police Chief, Robert Saleski, was also present and stated that he is not in opposition to allow all-year Sunday liquor sales. Chief Saleski further stated that Medway has very few liquor stores and that the Town has never had problems with any, nor does he expect Sunday liquor sales to negatively impact the Town. Selectman Rozanski asked if any residents approached the police department regarding the issue. Chief Saleski stated that no residents contacted the police department to voice concerns. Administrator Balukonis also stated that no calls were received from residents voicing concerns.
- Chairman Musmanno asked if anyone else wanted to speak on the matter. Hearing none, Selectman Rozanski moved that the Public Hearing be closed. The Selectmen entered into a brief discussion and Selectman Rozanski moved to accept the provisions of Chapter 141 of the Acts of 2003 and approve the all-year Sunday liquor sales; seconded by Selectman O'Leary. Before voting Selectman Dziczek recommended that the owners become familiar with the act. Selectman O'Leary supported Selectman Dziczek's comment and stated that the owners should be sure they understand the acts and retrieve a full copy of the law; All ayes 4-0-0 (voted to accept).

#### **5. Town Accountant Quarterly Update:**

- Town Account, Mrs. Graves was present and gave the Board a handout to review regarding estimated and actual revenue figures as of December 31, 2003. Mrs. Graves assured the Board that she critically reviews every warrant before recommending such for Board approval and is also diligent of questioning anything that could create a problem. Mrs. Graves reported that she is working very closely with the Director of department 192 who has some over expended accounts and reported that the Board will probably see a request for emergency transfer of funds soon. There was a brief discussion among the parties as they reviewed the management report and the Town Accountant and Town Administrator explained and answered some inquiries. Mrs. Graves indicated that she is in the process of mailing out the 1099's and that all should be completed and mailed by the end of the week.
- Selectman Rozanski asked if the Audit for fiscal year 2003 was completed. Mrs. Graves indicated that the Audit had not been completed due to problems with Data National and that she and Treasurer Walls have been working with Data National on a daily basis to resolve the reporting problem. Selectman Rozanski asked if the audit was late last year. Administrator Balukonis verified that last year's audit was late.
- Chairman Musmanno asked if there would be a problem getting the audit done. Mrs. Graves indicated that there would be no problem getting the audit completed, but wanted to be absolutely sure that the reports are correct before scheduling the audit. Mrs. Graves indicated that Data National has assigned a representative to work directly with her and Treasurer Walls to resolve the issue and expects such to be resolved soon.
- Selectman Dziczek asked if the free cash figure was available. Mrs. Graves indicated that she has an estimated figure but does not want to release the information until Kathy Reed from the Department of Revenue certifies it. Mrs. Graves indicated that



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Ms. Reed is scheduled to meet with her soon and would report back as soon as possible.

#### **6. Report of the Town Administrator:**

- Administrator Balukonis reported that he and Selectman Rozanski attended a meeting regarding Route 126 with Mass Highway District 3 that included Representative Loscocco and reported that the Town was approved pending placement on the T.I.P. funding list. Administrator Balukonis noted that some of the areas scheduled to address are right of ways, easements and breaking the project into segments and that the Town would have to approach MAPO and request to be placed on the T.I.P. list in order to qualify for the reimbursements. Selectman Rozanski further explained the process of requesting such and indicated that she and the Town Administrator would be working on the required article and would also be getting written support from other local towns.
- Administrator Balukonis stated that he completed the Fiscal 2005 budget recommendations and that e-mail versions would be forwarded over the next few days. He further stated that all the department heads did a great job with their budgets.
- Administrator reported he received notification from FEMA that Medway was eligible for a seventy-five (75%) percent reimbursement for the December 6 snowstorm and would seek approval from the Board to reallocate the funds to the DPS Snow budget as soon as the final figures are received.

#### **7. Reports of the Selectmen:**

- Selectman Dziczek did not have a report.
- Selectman O'Leary reported that there was recently a steam leak problem at the McGovern School due to extreme weather conditions, which affected three classrooms, which are temporarily moved to other parts of the school. Selectman O'Leary also reported that the Search committee for the new school Superintendent needs a representative from the board and she would be happy to volunteer to serve. Chairman Musmanno moved that Selectman O'Leary be appointed as the Board representative on the School Superintendent Search committee seconded by Selectman Rozanski; All aye 4-0-0 (voted).
- Selectman Rozanski reported that she attended a recent MMA meeting and updated Board regarding Governor Romney's budget recommendations and noted that the Governor would not be cutting local Chapter 70 monies. Selectman Rozanski also reported that she has been involved with the Route 495 Corridor partnership and urged other Board members to attend the upcoming conference if their schedules permitted as she felt it would be very informative.
- Chairman Musmanno acknowledged correspondence from the Medway Library Trustees announcing the appointment of a new Library Director.

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### **8. Deliberation of Town GIS policy:**

- Selectman Dziczek passed out a memorandum from the Planning Board addressed to the Assessors regarding the GIS System and Subdivision Plans that included some ideas and areas of concern. Selectman Dziczek reported that he spent some time speaking to several departments at Town Hall and learned that the Building Inspector would have to get a software upgrade because the data system he currently uses is not compatible with the DeLaurier system and that the Water and Sewer Department would not be able to utilize the system. Chairman Musmanno noted that he believed that Mr. Fraser stated that the layer required by the Water and Sewer department was an add on. Selectman Dziczek stated that DeLaurier represented to the Water and Sewer that such was not available but was going to meet with the Water/Sewer representatives and Mr. Fraser and update the Board in two weeks.

### **9. Budget Hearing Schedule:**

- Chairman Musmanno suggested that budget hearings be scheduled over the next two Monday Board Meetings (February 2 and February 9). All board members were in agreement and Chairman Musmanno directed the administrative staff to coordinate such.

### **10. Revised Chapter 61 A Notice on the Iarussi property:**

- Selectman Dziczek updated the Board with some background information, the CIPC's position and his conversations with Mr. Bedrosian relative to the Iarussi property. As a result of Selectman Dziczek's commentary, Chairman Musmanno moved to refer the matter to the CIPC and solicit their recommendation and report back to Board of Selectmen within forty-five (45) days, Selectman O'Leary seconded; All ayes 4-0-0 (voted).

### **11. Planning Board's request for Town Counsel's Opinion:**

- Administrator Balukonis gave a brief overview of recent matter involving the Redgate II subdivision that resulted in the Planning Board's request to seize the bond. Selectman Rozanski moved to approve the Planning Board's request to solicit Town Counsel's opinion regarding bond seizure; Selectman O'Leary seconded; All ayes 4-0-0 (voted).
- Administrator Balukonis also mentioned that he would like to see some closure on the subject of snow removal on private and unaccepted roads and referred the Board to his memorandum and legal information supporting his recommendation. Some discussion followed and Chairman Musmanno moved to table the discussion to another meeting (three weeks) Selectman O'Leary seconded; All ayes 4-0-0 (voted)

### **12. Temporary site plan modification regarding cedar fencing at the Walgreen Site:**

- Chairman Musmanno read the request for site plan modification submitted by D.F. Pray. Selectman O'Leary moved to approve the request submitted by D. F. Pray to temporarily install a 6' chain link fence while curbing is finished to prevent damage to

## **BOARD OF SELECTMEN'S REGULAR SESSION MINUTES JANUARY 26, 2004**

the required cedar fencing at the Walgreen's site, seconded by Selectman Dziczek; All ayes 4-0-0 (voted).

### **13. Approval of Site Plan Modification for Medway commons:**

- Chairman Musmanno asked the Board members if they agreed or had any questions regarding the Certification of Approval of Site Plan Modification for Medway Commons. Board members indicated that the Certification reflected what was agreed and discussed at the prior meeting. Selectman O'Leary moved to approve the Certification of Approval of Site Plan Modification for Medway Commons as submitted by Administrator Balukonis, seconded by Selectman Dziczek; All aye 4-0-0 (voted)/

### **14. Petition for utility pole relocation on Main and Holliston Streets:**

- Selectman Rozanski moved to approve the Petition for utility pole relocation on Main and Holliston Street as recommended by Administrator Balukonis, Selectman O'Leary seconded; All aye 4-0-0 (voted).

### **15. Miscellaneous items:**

- Administrator Balukonis presented the Liquor License for Richard's Casino Bar and Grill d/b/a Richards for Board signature that was recently approved by the ABCC. Selectman Rozanski moved to approve Richard's liquor license, seconded by Selectman Dziczek; all aye 4-0-0 (voted)
- The Board indicated their approval by executing the Certificate of the Site Plan Approval as submitted by David & Tara Wierlich as recommended by the Planning Board.

8:15 p.m. There being no further business to discuss Selectman Rozanski moved that the Board of Selectmen's meeting be adjourned; seconded by Selectman O'Leary; All ayes 4-0-0 (voted)

Respectfully submitted,

Celeste R. Hanson,  
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

BOARD OF SELECTMEN' S REGULAR SESSION MINUTES  
FEBRUARY 2, 2004

Present: Selectmen Joseph F. Musmanno, Joseph Dziczek, Raphaela Rozanski, and John Williams; Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman May 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.

1. Approve and sign warrant:

- Selectman Williams moved that the Board approve and sign the warrant for fiscal year 2004 as read by Selectman Rozanski in the total amount of \$559,340.74 (\$151,797.76—Town bills; \$158,590.21—Withholdings; \$4,641.78—New High School Building; \$164,606.36—School bills; \$5,489.56—Student Activities; \$74,215.07—Gross Town payroll); Selectman Rozanski seconded; All ayes 4-0-0 (voted).

2. Approval of Minutes:

- Selectman Williams moved to approve the regular session minutes of January 12, 2004; Selectman Rozanski seconded; All ayes 4-0-0 (voted).

3. Public Comments:

- Mr. Sal Lariccia came forward to discuss concerns regarding the Town's potential employee health care insurance deficit. He has many questions that he would like answered regarding the current share rate between employees and the Town. Chairman Musmanno asked if Administrator Balukonis was prepared to answer questions at present or would he prefer the matter be tabled for discussion at another meeting. Administrator Balukonis responded that he would prefer to wait because he did not have the data needed to make a proper presentation at present and would be presenting the health care benefits budget at the next scheduled budget hearing. Mr. Lariccia stated that he would attend the next budget hearing and hopefully get the answers to his questions.

4. Budget Hearings—Public Services and Education:

- At 7:15 pm Chairman Musmanno announced that the Board would commence the scheduled budget hearings and noted that several members of the Finance Committee were present and encouraged the members to ask questions during the budget presentations.
- Administrator Balukonis submitted a list of his budget recommendations and began the presentation of the budget hearings noting several department heads present to further give explanation and answer questions.
- Superintendent, Mark Flaherty presented the Water/Sewer budget and answered inquiries from the Board. Superintendent Flaherty stated he supported the Town Administrator's recommendation and noted that his department's salaries had increased due to the hiring of new staff.

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- Library Trustee, Wendy Rowe was present to answer questions regarding the Library Budget and was satisfied with the Town Administrator's recommendation. Ms. Rowe noted that the new Library Director was scheduled to start employment with the Town on February 23, 2004. Administrator Balukonis noted that the Library budget was cut approximately \$5,000 due to salary changes as a result of the new Library Director hired at a lower rate.
- Director, David D'Amico presented the Department of Public Services budget which includes Town Buildings, Traffic Signals, Road Repair, Public Services, Snow Removal, Street Lights, Parks and Vehicle Maintenance. Director D'Amico stated that he also supported the Town Administrator's recommendation. Director D'Amico stated that he would like to create another position to coordinate repair projects that would report to the Foreman.
- Administrator Balukonis presented the remaining budgets which included, Tree Warden, Charles River District, Cemetery Commission, Council on Aging, Veterans, Choate Programs, Sunshine Group, Memorial Committee, Historical Committee and Disability Commission. Administrator Balukonis noted a slight increase to the Tree Warden's budget representing a salary increase. Administrator Balukonis noted cuts in the Veterans, Choate Programs and Sunshine Group budgets due to Town financial hardships. The remaining budgets remained level funded with no changes.
- At 8:15 p.m. Chairman Musmanno announced that the Board would continue with the budget hearing and asked the members presenting the Education Budget to come forward. Superintendent of Schools, Dr. Bettencourt; School Committee Chairman, Charles Myers; Director of Finance, David Verdolino and School Committee member, Allen Himmelberger approached the Board to present the education budget and answer questions.
- Mr. Myers stated that there have been some consolidations and cuts in school services in an effort to keep budget expenses down. He also stated there have been significant increases for school repairs and maintenance due to the age of school buildings. Mr. Myers also stated concerns regarding the expenses related to opening the new high school and how it would affect the budget.
- Margurite Monihan, FinCom member voiced concerns regarding the effect of the school credit rating due to projected cuts in services.
- Dr. Bettencourt explained that the schools accreditation would be effected and further explained the state policy and procedure and assured board members that Medway Schools' would not suffer to the extremes.
- A brief discussion of the budget and programs followed.

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5. Report of the Town Administrator:

- Administrator Balukonis noted that the Town had recently rejected the bid for replacement of the Town Hall boiler due to the lack of requested data and some questions regarding the expertise of the bidder. Administrator Balukonis reported that a new invitation to bid was advertised and that the bid opening is scheduled for February 18, 2004.
- Administrator Balukonis reported that the Engineering Services request for proposal was also out to bid and the bid opening scheduled for February 25. Administrator Balukonis mentioned that he had a drafts of the RFP if Selectmen would like to review it before hand.

6. Report of the Selectmen:

- Selectmen Dziczek and Willams did not have a report this week.
- Selectman Rozanski reported that she is pursuing the Route 126 project and is in the process of coordinating information needed and would continue to update the Board as warranted. Selectman Rozanski also reported that she has scheduled a meeting with the Water and Sewer Board to discuss the well issue and will report back to the Board soon.

7. Board Action Items:

- Selectman Williams moved to approve the Primary Voting Warrant requested by the Town Clerk; Selectman Rozanski seconded; All ayes 4-0-0 (voted).
- Selectman Dziczek moved to grant approval for the holiday work extension schedule regarding the Shaw's Supermarket requested by CM&B; Selectman Williams seconded; All ayes 4-0-0 (voted).

9:10 p.m. There being no further business to discuss Selectman Dziczek moved that the meeting be adjourned; Selectman Rozanski seconded; All ayes 4-0-0 (voted).

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

NOTE: APPROVED BY BOS ON

BOARD OF SELECTMEN' S REGULAR SESSION MINUTES  
FEBRUARY 2, 2004

Present: Selectmen Joseph F. Musmanno, Joseph Dziczek, Raphaela Rozanski, and John Williams; Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman May 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.

1. Approve and sign warrant:
  - Selectman Williams moved that the Board approve and sign warrant number 31 for fiscal year 2004 as read by Selectman Rozanski in the total amount of \$559,340.74 (\$151,797.76—Town bills; \$158,590.21—Withholdings; \$4,641.78 New High School Building; \$164,606.36—School bills; \$5,489.56—Student Activities; \$74,215.07—Gross Town payroll); Selectman Rozanski seconded; All ayes 4-0-0 (voted).
2. Approval of Minutes:
  - Selectman Williams moved to approve the regular session minutes of January 12, 2004; Selectman Rozanski seconded; All ayes 4-0-0 (voted).
3. Public Comments:
  - Mr. Sal Lariccia came forward to discuss concerns regarding the Town's potential employee health care insurance deficit. He has many questions that he would like answered regarding the current share rate between employees and the Town. Chairman Musmanno asked if Administrator Balukonis was prepared to answer questions at present or would he prefer the matter be tabled for discussion at another meeting. Administrator Balukonis stated that he would prefer to wait because he did not have the data needed to make a proper presentation .
4. Budget Hearings—Public Services and Education>
  - At 7:15 pm Chairman Musmanno announced that the Board would commence the scheduled budget hearings and noted that several members of the Finance Committee were present and encourage the members to ask questions.
  - Administrator Balukonis submitted a list of his budget recommendations and began the presentation of the budget hearings noting several department heads present to give explanation and answer questions.
  - At 8:15 p.m. Chairman Musmanno announced that the Board would continue with the budget hearing and asked the members presenting the Education Budget to come forward. Superintendent of Schools, Dr. Bettencourt; School Committee Chairman, Charles Myers; Director of Finance, David Verdolino approached the Board to present the education budget and answer questions.
  - Mr. Myers stated that there have been some consolidations and cuts in school services in an effort to keep budget expenses down. He also stated there has been significant increases for school repairs and maintenance due to the age of school buildings.
  - Marie Monihan, FinCom member voiced concerns regarding the effect of the school credit rating due to projected cuts in services.

BOARD OF SELECTMEN' S REGULAR SESSION MINUTES  
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- Dr. Bettencourt explained that the schools accreditation would be effected and further explained the state policy and procedure and noted that the present members of the school committee and management would not let Medway School suffer.
- There was some discussion regarding the budget and programs among the members present.

5. Report of the Town Administrator:

- Administrator Balukonis noted that the Town had recently rejected bid for replacement of the Town Hall boiler due to the lack of requested data and some questions regarding the expertise of the bidder. Administrator Balukonis reported that a new bid was open.
- Administrator Balukonis reported that the Engineering Services request for proposal was also out to bid and that the bid opening was scheduled for February 25.

6. Report of the Selectmen:

- Selectmen Dziczek and Willams did not have a report.
- Selectman Rozanski reported that she is pursuing the Route 126 project and is in the process of coordinating information needed and would continue to update the Board as warranted. Selectman Rozanski also reported that she has scheduled a meeting with the Water and Sewer Board to discuss the well issue and will report back to the Board soon.

7. Board Action Items:

- Selectman Williams moved to approve the Primary Voting Warrant requested by the Town Clerk; Selectman Rozanski seconded; All ayes 4-0-0 (voted).
- Selectman Dziczek moved to grant approval for the holiday work extension schedule regarding the Shaw's Supermarket requested by CM &B; Selectman Williams seconded; All ayes 4-0-0 (voted).

9:10 p.m. There being no further business to discuss Selectman Dziczek moved that the meeting be adjourned ; Selectman Rozanski seconded; All ayes 4-0-0 (voted).

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

NOTE; APPROVED BY BOS ON :



MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 2004

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

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 \$1,233,578.29 (\$267,581.99—Town bills; \$152,588.60—Withholdings; \$103,280.76—School Department; \$74,474.07—Town Payroll and \$635,652.87—School Payroll ); Selectman O'Leary seconded; All ayes 4-0-0 (voted).

**2. *Approval of Minutes:***

- Selectman O'Leary moved to approve regular meeting minutes of January 26, 2004; Selectman Williams seconded; Ayes 3-1-0 (Selectman Williams abstained) (voted).
- Selectman Williams moved to approve regular meeting minutes of February 2, 2004; Selectman Musmanno seconded; Ayes 3-1-0 (Selectman O'Leary abstained) (voted).

**3. *Public Comments:***

- Mr. Salvatore LaRicca approached the board and submitted three citizens' petitions to be placed on the Annual Town Warrant. Mr. LaRicca commented that he was not sure if the wording was correct and stated that he asked Town Counsel for assistance and was advised by Town Counsel that he could not lend assistance relative to warrant articles. Chairman Musmanno asked Mr. LaRicca if the petitions had been certified by the Town Clerk. Mr. LaRicca stated that he did not submit the petitions to the Town Clerk for certification. Administrator Balukonis stated that he would submit the petitions to the Town Clerk for certification.
- Mr. Edward Reardon; 203 Village Street came forward to ask the Board for their support to erect a monument in Memorial Square to honor Medway war veterans that would also include Medway residents who served in the Civil War. Mr. Reardon indicated that he currently has the names of three hundred residents who he feels should be honored and listed on the monument. After a brief discussion among the Board members, Chairman Musmanno suggested that perhaps supporting extra funding for this notable cause may be in order. All Board members nodded in agreement.

**4. *Budget Hearings—Public Safety, General Government and Intergovernmental.***

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 2004

- At 7:15 pm Chairman Musmanno announced that the Board would commence the scheduled budget hearings and noted that several members of the Finance Committee were present and encouraged the members to ask questions during the budget presentations.
- Administrator Balukonis submitted a list of his budget recommendations and began the presentation of the budget hearings noting several department heads present to further give explanation and answer questions.
- Animal Control Officer, Brenda Hamelin thanked the Board and other Department Heads for allowing her to present her budget first as she had a dog hearing scheduled in Millis. Officer Hamelin explained her services are shared with the Town of Millis (7:00 a.m. to 4:00 p.m.) and that Medway's portion of the cost is higher due to the evening coverage (24 hours) otherwise the submitted budget is level funded.

Police Department Budget

- Administrator Balukonis summarized his budget recommendation then asked Chief Saleski to further give explanation and answer questions regarding the presented budget.
- Chief Saleski presented the Police Department budget. Chief Saleski explained that the current police contract calls for a 3% increase across the board for the first six months and an additional .5% increase during the last six months. Additionally, two sergeants are due to receive step increases; two officers are due to receive longevity increases and one officer is due to receive an educational stipend increase. It was reported that a part-time crossing guard would be added to the department in anticipation of the new high school opening. Chief Saleski stated that expenditures for shift differentials are in line with projections based on the formula used last year; however, the Matron account is already operating at a deficit and 52 percent of the court time account has been expended to date. Chief Saleski stated that overtime could be used to cover shortages in these two accounts. Chief Saleski reported that the Town is expected to receive approximately \$60,500 for officers participating in the Quinn Bill incentive program; however, many of the grants benefiting the Town in the past are no longer available such as DARE and the Homeland Security Equipment Grant. The Community Policing grants are being diverted to larger communities. The School Resource Officer grant has also run its course and Chief Saleski intends to apply for a fulltime SRO grant if available for FY05. Chief Saleski explained that the purpose of this grant is to provide funding to hire a patrol officer as a replacement for the SRO and monies are first expended by the department and then reimbursed on a quarterly basis. Chief Saleski stated that other items such as protective ballistic vests and vehicles have been submitted as Capital Improvement articles which need to be addressed at a later date.
- Chairman Musmanno asked Chief Saleski to explain the responsibilities of the SRO. Chief Saleski explained that the SRO assists the school administration with

MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 2004

disciplinary matters and was first put into effect as a result of the Columbine issue, the SRO acts as a liaison between students and school administration and also gives students a familiar "go to" person in the community. Chairman Musmanno also asked what the cost is for new police cruisers and how many vehicles are included in the department's fleet. Chief Saleski stated that the cost for each cruiser is approximately \$31,000 and currently there are ten vehicles in the fleet (6 frontline vehicles and 4 backline).

- Selectman Rozanski asked for further explanation of the SRO grant program. Chief Saleski explained that the current grant monies of \$54,000 covered a 4-year, part-time SRO and it was his intent to apply for the \$125,000 full-time grant. The program requires the Town to pay the first three months salary then submit quarterly requests for reimbursement.
- Selectman O'Leary asked if overtime could be consolidated somehow. Chief Saleski stated that in the past officer duties have been consolidated and he has assigned a designated sergeant to manage investigative issues, Chief Saleski stated he would like to hire a detective to handle investigations. Chief Saleski stated that most overtime results from vacations due to calling in officers to replace the vacancy.
- Selectman Dziczek asked if the police department is meeting the Homeland Security requirements. Chief Saleski stated that all officers are currently enrolling in seminars in order to meet with state regulations and stated that many other Massachusetts Chiefs report that the government is not providing enough funding to cover the required training.
- Chairman Musmanno asked the Board if there were any other questions for Chief Saleski. Mr. LaRiccia asked why the SRO is employed as a full-time, yearly officer when school is not open for a full year. Chief Saleski explained that the SRO must be compensated as a full-time officer and is utilized for other duties as assigned by the Chief when school is out.

Fire Department Budget

- Administrator Balukonis summarized his budget recommendations and noted the request for an additional full-time firefighter/EMT. Administrator Balukonis stated that based on the quick growth of the department he has concerns regarding the request for additional staff at the present time and therefore, is not recommending hiring the additional firefighter. Administrator Balukonis then asked Chief Vinton to further give explanation and answer questions regarding the presented budget.
- Chief Vinton further explained the department's staffing and growth background and noted his concerns regarding the lack of call staff required to cover the current schedule. Chief Vinton noted that there are many nights when he does not have sufficient overage and noted that the additional firefighter would cover the vacancies and also felt that his department could handle the extra position due to the funds gained through the enterprise fund; however, he understood the Town Administrator's recommendation to maintain at status quo for Fiscal 2005.

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- Selectman Rozanski stated that she is very supportive of the fire department and can appreciate the Chief's concern and asked if a business plan covering the next three to five years outlining the projections be submitted for further review from the Board.

Police and Fire Communications Budget:

- Administrator Balukonis summarized his budget recommendation then asked Sergeant Boltonhouse to further explain and answer questions regarding the presented budget.
- Sergeant Boltonhouse explained the difference in the budget numbers were due to salary adjustments and that he recently received a resignation which has not filled to date. Sergeant Boltonhouse stated that he was satisfied with the Town Administrator's recommendations and that he would continue to explore additional grants and programs to benefit his department.

Board of Health and Solid Waste Budget:

- Administrator Balukonis summarized his budget recommendation then noted that the Health Agent, William Fisher and Health Secretary, Carole Joyce were present to further explain and answer questions regarding the presented budget.
- Mr. Fisher noted that the Board of Health/Solid Waste will continue status quo and does not anticipate any new services and fully supports the Town Administrator's recommendation.

Building Department Budget:

- Administrator Balukonis summarized his budget recommendation and asked that the Building Inspector, Robert Speroni, come forward to further explain and answer questions regarding the presented budget.
- Inspector Speroni agreed with the Town Administrator's recommendation and noted the additional increase of FY 2005 salaries and in-state travel due to the addition of Michael Clancy, the new Sealer of Weights and Measurers, and a Commercial Wiring Inspector; and the request for additional monies for supplies was requested due to the equipment needed by the Sealer of Weights and Measures. Inspector Speroni stated that he did not anticipate any other major purchases or expenses.
- Administrator Balukonis announced that the Public Safety Budget recommendations were concluded and was ready to begin the Governmental Budget recommendations.

Governmental Budget Recommendations

- Administrator Balukonis presented his budget recommendations for the Board of Selectmen, Finance Committee, and the Finance Committee Reserve. Administrator

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Balukonis noted that the increase in services for the Board of Selectmen's budget reflected an expense for the addition of one new position, Assistant Town Administrator. Administrator Balukonis stated that the Conservation Commission, Industrial Development Commission, and Capital Improvement Committee did not submit Fiscal Year 2005 Budgets and therefore he recommended the same budget monies as allocated for Fiscal Year 2004.

Accountant

- Administrator Balukonis summarized his budget recommendation and asked that the Town Accountant, Wendy Graves, come forward to further explain and answer questions regarding the presented budget.
- Accountant Graves came forward and noted this was her first budget submission as the Town Accountant. Accountant Graves stated she was happy with the Town Administrator's budget recommendation and that she did not anticipate any extra department expenses. Accountant Graves explained the town accountant salary appeared higher than last year but in actuality, her salary was lower than the former accountant and that the former assistant salary was higher than the current assistant salary.

Assessors

- Administrator Balukonis summarized his budget recommendation and asked that the Town Administrative Assessor, Brit Hall, come forward to further explain and answer questions regarding the presented budget.
- Assessor Hall stated that he supported the Administrator's recommendation and noted that there had been a slight decrease in the salary recommendations due to new employee salary requirements. Kristen Diebus, FinCom Member stated that she did not think the Assessors were approved for three positions. Administrator Balukonis stated that there were no staffing issues with the Assessors.

Town Clerk, Elections and Registrations:

- Administrator Balukonis summarized his budget recommendations and asked that the Town Clerk, Mary Jane White, come forward to further explain and answer questions regarding the presented budget.
- Town Clerk White stated that she could not cut expenses to the elections and registrations budget as they are mandated by the State. Town Clerk White stated she was satisfied and agreed with the Administrator's recommendation.

Planning Board:

- Administrator Balukonis summarized his budget recommendations and asked that the Planning Board Chairman, Jim Wieler come forward to further explain and answer questions regarding the presented budget.

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- Chairman Wieler came forward and noted that he was supportive of the Administrator's recommendation and stated that the Planning Board budget reflected additional increases to support materials needed for the newly formed Design Review Committee, the Master Plan update and upgrade of the Planning Board Secretary. Chairman Wieler also mentioned that some reductions to the consulting and contracting services and copying/printing accounts were reflected in the Planning Board budget.
- Administrator Balukonis reported that the Governmental Budget recommendations were concluded and was ready to begin the Intergovernmental Budget recommendations.

Intergovernmental Budget Recommendations

- Administrator Balukonis presented his budget recommendations for the Intergovernmental Budgets which included; Property & Liability Insurance, Debt Service, Life Insurance, FICA, County Retirement, Unemployment, Education Reimbursement, Workers Compensation and Health Insurance. Administrator Balukonis noted that most of the intergovernmental budgets are underfunded and that that Town will be facing a severe deficit in all these accounts.
- Administrator Balukonis asked that Treasurer Walls come forward to also answer questions regarding the budget and deficit account issues. A lengthy discussion followed regarding the status of the Town health insurance benefit budget. Both, Treasurer Walls and Administrator Balukonis, stated that they will continue to investigate other health insurance programs, etc. in an effort to decrease costs.

**5. *Report of the Town Administrator:***

- Administrator Balukonis reported that he received notice from DEP indicating that Medway would be a 30-day extension for submission of missing Stormwater documentation and also, acknowledged correspondence received from Attorney John L. Daley relative to an altercation at the Medway High School and indicated that such was referred on to the Town's insurance carrier (MIIA).
- Administrator Balukonis reported that the DPS Director attended the T.I.P. seminar on February 18<sup>th</sup>. Administrator Balukonis reported that he planned on attending the upcoming insurance seminar with Selectman Rozanski.
- Administrator Balukonis reported that a citizens petition was submitted today requesting a warrant article to change the Treasurer/Collector position from appointed to elected.
- Lastly, Administrator Balukonis reported his disappointment regarding the Council on Aging and Camp Sunshine reaching a resolution relative to the relocation of the Camp Sunshine program. Administrator Balukonis stated that as a result of the two groups failing to reach a compromise, his decision is to keep the Camp Sunshine

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FEBRUARY 9, 2004

program at the Senior Center for the six week period during the summer and that official notification to both groups would be forwarded within the next couple of days.

**6. *Reports of the Selectmen***

- Selectman Dziczek presented a handout to the Board and gave a brief GIS update and stated that he had more follow up to do and would be prepared to present a GIS policy for consideration at the next scheduled board meeting.
- Selectman O'Leary reported that she would not be seeking reelection and encouraged interested residents to stop by the Town Clerk's office and takeout papers.
- Selectman Rozanski reported that she is scheduled to attend the upcoming insurance seminar along with the Town Administrator and would report back to the Board.
- Chairman Musmanno acknowledged Town Counsel's response to the Planning Board's inquiry relative to bond seizure and requested the administrative staff to forward on to the appropriate parties.

**Board Action Items**

Utility easement Holliston Street

- Administrator Balukonis stated that the utility easement had first been reviewed by the DPS Director who recommended minor changes and then forwarded the document to Town Counsel for final review and recommendation. Administrator Balukonis reported that the utility easement before the Board for approval reflected such.
- Selectman Rozanski moved to accept the terms, covenants and conditions of the utility easement; Selectman O'Leary seconded; All ayes 5-0-0 (voted).

Request from Charter Realty for Bonding of unfinished site work

- Chairman Musmanno briefly refreshed the Board pertaining to the conditions of the Medway Commons site plan approval which followed a brief discussion of the request at hand. Administrator Balukonis assured the Board that the delays experienced by the applicant were not the results of any wrong doing on the Town's part.
- Selectman Williams moved to approve the request; Selectman O'Leary seconded; 4-0-1 (approved). After a brief discussion, Selectman Williams amended his main motion to include two stipulations that a ten percent (10%) increase be added to the bond total (\$509,000.00) and there be striping on the temporary paved surfaces; Selectman Rozanski seconded; All ayes 5-0-0 (voted).

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- Selectman Dziczek moved to include an agreement releasing the Town of all liabilities; Selectman O'Leary seconded; All ayes 5-0-0 (voted).

Consideration of Casino Night requested by Medway High School Alumni Committee.

- Selectman Musmanno moved to approve and requested that the Town Administrator instruct the organization to the Massachusetts Gaming Commission; Selectman Williams seconded; All aye 5-0-0 (voted).

11:00 p.m. There being no further business to discuss, Selectman Rozanski 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*



MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 23, 2004

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 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 O'Leary moved that the Board approve and sign warrants for fiscal year '04 as read by Selectman Rozanski in the total amount of \$1,404,137.07 (\$191,279.83—Town bills; \$75,136.43—Gross Town Payroll: \$151,588.18—Withholdings; \$107,966.46—New High School; \$247,134.74—School Department; \$631,031.43—School payroll); Selectman Williams seconded; All ayes 4-0-0 (voted).

**2. *Approval of Minutes:***

- Selectman Williams moved to approve regular meeting minutes of December 22, 2004; Selectman O'Leary seconded; All ayes 4-0-0 (voted).

**3. *Public Comments:***

- Robert Dubovsky approached the Board regarding the memorandum he submitted to the Administrative office for copying and distribution to the Selectmen, Municipal Building Committee, School Superintendent's office and School Committee Chairman and wanted to know if the Selectmen had reviewed his commentary. Chairman Musmanno acknowledged that the memorandum was included in his meeting packet and the remaining Board members nodded indicating receipt of the document. Mr. Dubovsky indicated that he still waiting for information that he has been asking for.
- Chairman Musmanno asked Mr. Dubovsky if he felt denied the requested information in accordance with the Freedom of Information Act. Mr. Dubovsky affirmed and Chairman Musmanno asked the Administrative staff to get an update on the items Mr. Dubovsky requested.

**4. *Town Official Updates:***

- Municipal Building Committee Chairman, James Hoodlet was present to update the Board regarding the new high school construction project and to seek approval of several CCD's and contract extensions of Keville Enterprises and Design Partnership. Chairman Hoodlet reported that the project failed to meet the October 30, 2003, completion deadline and is currently eighty percent (80 %) complete and anticipates completion in mid-June. Chairman Hoodlet

**5. *Report of the Town Administrator:***

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- 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
- .

*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  
MARCH 15, 2004

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. .

7:05 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:***

- It was moved and voted that the Board approve and sign warrants for fiscal year '04 as read by Selectman Rozanski in the total amount of \$18,230,581.03 (\$18,107,455.65—Town bills; \$18,609.11—Withholdings; \$16,040.10—Student Activities); All ayes 4-0-0 (voted).

**2. *Discussion of Budget/Override:***

- Chairman Musmanno read a letter from School Superintendent Bettencourt stating the School Committee recommends a budget override in the amount of not less than \$1,694,514.
- Chairman Musmanno stated the Board recommended budget shows a Surplus Balance of \$439,990. There was a discussion on the confidence level of this amount. Administrator Balukonis stated he was comfortable with the amount shown by FinCom as a surplus.
- Chairman Musmanno asked the Board's preferences for revisiting each budget to show spending the additional \$439,900.
- Chairman Musmanno updated statistical information comparing Medway's spending versus state-wide averages. His presentation addressed school and municipal spending trends, income and tax rate comparisons.
- Selectman O'Leary commented that the school requested what was presented at the recent budget hearing and that she supports a school budget override amount of \$1,667,000.
- Selectman Rozanski explained that the override in her opinion should include fully funding health insurance benefits at \$240,000; which comprises of an all inclusive override amount of \$3,129,000 divided between schools and intergovernmental departments.
- It was agreed that the base cost for opening the new high school is \$906,000 (\$810,826 wages/expenses; \$16,000 property insurance; \$80,000 health insurance). Board members stated no objection to these amounts.
- The Board continued discussions including the following override amounts: \$810,826 school maintenance/High School opening; \$80,000 health insurance; \$16,000 property insurance which totaled \$906,826 for a minimum override; an

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 15, 2004

additional \$300,000 for roads bringing the new override total to \$1,206,826; adding \$685,867 which represents the school budget status quo; making the new override total \$1,894,693; other additional expenses totaling \$409,500 added for consideration of inclusion in the override amount included \$305,000 for five new teaching positions (fully loaded), \$70,000 for two busses in relation to the new school opening and \$34,500 representing the park laborer position which would bring the potential new override amount to \$2,304,193; finally the addition of one crossing guard at \$7,000 added to the potential override amount would bring the maximum total override to \$2,311,193.

*9:16 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 Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 8, 2004

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.

7:10 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:***

- It was moved and voted that the Board approve and sign warrants for fiscal year '04 as read by Selectman Rozanski in the total amount of \$18,230,581.03 (\$18,107,455.65—Town bills; \$18,609.11—Withholdings; \$16,040.10—Student Activities); All ayes 4-0-0 (voted).

**2. *Discussion of Budget/Override:***

- Chairman Musmanno read a letter from School Superintendent Bettencourt stating the School Committee recommends a budget override in the amount of not less than \$1,694,514.
- Chairman Musmanno stated the Board recommended budget shows a Surplus Balance of \$439,990. There was a discussion on the confidence level of this amount. Administrator Balukonis stated he was comfortable with the amount shown by FinCom as a surplus.
- Chairman Musmanno asked the Board's preferences for revisiting each budget to show spending the additional \$439,900.
- Chairman Musmanno updated statistical information comparing Medway's spending versus state-wide averages. His presentation addressed school and municipal spending trends, income and tax rate comparisons.
- Selectman O'Leary commented that the school requested what was presented at the recent budget hearing and that she supports a school budget override amount of \$1,667,000.
- Selectman Rozanski explained that the override in her opinion should include fully funding health insurance benefits at \$240,000; which comprises of an all inclusive override amount of \$3,129,000 divided between schools and intergovernmental departments.
- It was agreed that the base cost for opening the new high school is \$906,000 (\$810,826 wages/expenses; \$16,000 property insurance; \$80,000 health insurance). Board members stated no objection to these amounts.
- The Board continued discussions including the following override amounts: \$810,826 school maintenance/High School opening; \$80,000 health insurance; \$16,000 property insurance which totaled \$906,826 for a minimum override; an

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additional \$300,000 for roads bringing the new override total to \$1,206,826; adding \$685,867 which represents the school budget status quo; making the new override total \$1,894,693; other additional expenses totaling \$409,500 added for consideration of inclusion in the override amount included \$305,000 for five new teaching positions (fully loaded), \$70,000 for two busses in relation to the new school opening and \$34,500 representing the park laborer position which would bring the potential new override amount to \$2,304,193; finally the addition of one crossing guard at \$7,000 added to the potential override amount would bring the maximum total override to \$2,311,193.

*12:25 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 Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SPECIAL SELECTMEN'S MEETING  
MARCH 11, 2004

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

7:03 p.m. – Chairman Musmanno called the meeting to order in the Memorial School Cafeteria.

- Chairman Musmanno explained the purpose of the meeting was to hear citizens' comments about a possible override for fiscal 2005.
- Administrator Balukonis provided information concerning the need for an override in the amount of \$300,000 for road and sidewalk construction.
- School Committee Chairman, Charles Myers, offered an overview of the proposed school department budget.
- A number of residents offered comments both in favor and opposed to an override.
- FinCom Chairman, Jay Leader, indicated the Committee took an informal poll of its membership, and they supported placement of an override to fund the schools and road improvements.
- Upon conclusion of the public hearing, the Board of Selectmen recommended to review the ATM warrant.
- Administrator Balukonis stated there does not appear a special town meeting is necessary on May 10, 2004. Selectman O'Leary moved to insert the following article onto the warrant: Property/liability insurance transfer; worker's compensation transfer; health insurance trust transfer—voted (4-0-0).
- Selectman O'Leary moved to include a request by the Assessors to refund sewer betterments—voted (4-0-0).
- Selectman Rozanski moved to include a request by the Assessors transferring funds to cover a fiscal 2003 department deficit—voted (4-0-0).
- No motions were made on the following articles: Tree revolving fund; Off-site improvement revolving fund; acceptance of MGL Ch. 59, Sec. 5K; Adoptive use overly district and health insurance transfer.
- Selectman Dziczek moved to include the FinCom's stabilization fund request as the last financial article—voted (4-0-0).
- The Board of Selectmen discussed options concerning a Proposition 2 ½ override. It was agreed to meet on March 15, 2004, at 7:00 p.m. for the sole purpose of budget deliberations.

MINUTES OF THE SPECIAL SELECTMEN'S MEETING  
MARCH 11, 2004

*10:38 p.m. There being no further business to discuss, it was moved and voted that the meeting be adjourned; All ayes 4-0-0 (voted).*

Respectfully submitted,

Greg Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*



MINUTES OF THE SELECTMEN'S MEETING  
MARCH 15, 2004

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. .

7:05 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:***

- It was moved and voted that the Board approve and sign warrants for fiscal year '04 as read by Selectman Rozanski in the total amount of \$18,230,581.03 (\$18,107,455.65—Town bills; \$18,609.11—Withholdings; \$16,040.10—Student Activities); All ayes 4-0-0 (voted).

**2. *Discussion of Budget/Override:***

- Chairman Musmanno read a letter from School Superintendent Bettencourt stating the School Committee recommends a budget override in the amount of not less than \$1,694,514.
- Chairman Musmanno stated the Board recommended budget shows a Surplus Balance of \$439,990. There was a discussion on the confidence level of this amount. Administrator Balukonis stated he was comfortable with the amount shown by FinCom as a surplus.
- Chairman Musmanno asked the Board's preferences for revisiting each budget to show spending the additional \$439,900.
- Chairman Musmanno updated statistical information comparing Medway's spending versus state-wide averages. His presentation addressed school and municipal spending trends, income and tax rate comparisons.
- Selectman O'Leary commented that the school requested what was presented at the recent budget hearing and that she supports a school budget override amount of \$1,667,000.
- Selectman Rozanski explained that the override in her opinion should include fully funding health insurance benefits at \$240,000; which comprises of an all inclusive override amount of \$3,129,000 divided between schools and intergovernmental departments.
- It was agreed that the base cost for opening the new high school is \$906,000 (\$810,826 wages/expenses; \$16,000 property insurance; \$80,000 health insurance). Board members stated no objection to these amounts.
- The Board continued discussions including the following override amounts: \$810,826 school maintenance/High School opening; \$80,000 health insurance; \$16,000 property insurance which totaled \$906,826 for a minimum override; an

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 15, 2004

additional \$300,000 for roads bringing the new override total to \$1,206,826; adding \$685,867 which represents the school budget status quo; making the new override total \$1,894,693; other additional expenses totaling \$409,500 added for consideration of inclusion in the override amount included \$305,000 for five new teaching positions (fully loaded), \$70,000 for two busses in relation to the new school opening and \$34,500 representing the park laborer position which would bring the potential new override amount to \$2,304,193; finally the addition of one crossing guard at \$7,000 added to the potential override amount would bring the maximum total override to \$2,311,193.

*9:16 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 Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SELECTMEN'S MEETING  
MARCH 22, 2004

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. – 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 '04 as read by in the total amount of \$1,419,277.62 (\$271,485.73—Town bills; \$154,316.74—Withholdings; \$243,415.13—School Department bills; \$30,819.35—New High School Project; \$666.04—Student Activities); Selectman O'Leary seconded; All ayes 5-0-0 (voted).

**2. *Approval of Minutes:***

- Selectman O'Leary moved to approve special session meeting minutes of March 11, 2004; Selectman Rozanski seconded; All ayes 4-1-0 (voted).
- Selectman Rozanski moved to approve regular session meeting minutes of March 15, 2004, as amended; Selectman O'Leary seconded; All ayes 5-0-0 (voted).
- Chairman Musmanno moved to approve and release executive session minutes of December 1, 2003, and Selectman Williams seconded All ayes 5-0-0 (voted).
- Chairman Musmanno moved to approve and release executive session minutes of December 22, 2003; Selectman Williams seconded All ayes 4-0-1 ((voted).
- Chairman Musmanno moved to approve and release executive session minutes of March 8, 2004; Selectman Williams seconded All ayes 5-0-0 (voted).

**3. *Public Comments:***

- Andrew Rodenhiser approached the Board to voice concerns regarding the Town's rising health care costs and impact to the Town relative to the upcoming budget crises. Mr. Rodenhiser stated that he has been doing some research and found some Supreme Court case laws which might assist the town relative to increasing the employee share contribution in an effort to save money. Mr. Rodenhiser read the case laws and asked the Board if extra due diligence could be performed investigating the case laws or seek the advise of Town Counsel relative to such in effort to save funds that could impact the override figure. Chairman Musmanno stated that the Town Administrator and Insurance Advisory committee are diligently seeking alternatives to the current health care programs and are always seeking to save monies wherever possible. Mr. Rodenhiser stated that he had some questions regarding the employment contracts and health care benefits and would like to make an appointment to meet with the Board or the Town Administrator. Administrator Balukonis stated that he would be happy to meet with Mr.

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MARCH 22, 2004

Rodenhiser and review the information he had presented to the Board and to further discuss and answer any questions. Mr. Rodenhiser stated that he would make an appointment at the conclusion of the Board meeting.

- Sal LaRicca approached the Board and also voiced his concerns regarding the Town employee's health care benefit programs and the copay percentages and stated that the Town could save money if they changed the copay payments and shared costs between the employees and the Town. He also referred to a recent newspaper article in the Globe regarding same. Chairman Musmanno stated that he did not want to get into a long discussion regarding the issue and the Board's agenda was very full.
- Robert Dubovsky stated that he was awaiting information from the Board regarding the resume of the Operations and Finance Director and he still had issues regarding the school roof matter and reimbursement for the recent repairs to the roof. Mr. James Hoodlet, Chairman of the Municipal Building Committee stated that he would be happy to address the school roof charges with Mr. Dubovsky at the next MBC meeting on Wednesday. Chairman Musmanno told Mr. Dubovsky that there was nothing else to discuss nor would he entertain further discussion of the school roofs issue and stated that the matter was closed. Mr. Dubovsky was not happy and stated that his requests to appear on the Board's agenda have been ignored as well as answers to several memos. Chairman Musmanno reminded Mr. Dubovsky that he should be contacting the Chairman directly regarding agenda requests and further, did not recall receiving any new issues to discuss which would warrant being scheduled on the Board's agenda and therefore, his requests have been denied and would continue to be denied until Mr. Dubovsky convinces the Chairman that his issues are new issues and not past issues.
- Mrs. Elaine Kessler stated that she had some concerns for walking students relative to the traffic signals and the Star Market opening. Chairman Musmanno stated that the traffic signal issue is part of the Site Plan agreement which would be addressed by the Building Inspector before granting any occupancy permits prior to the scheduled opening. Mrs. Kessler thanked the Chairman.

**4. Town Official Updates:**

James Hoodlet, Chairman of the Municipal Building Committee

- Chairman Hoodlet presented construction change directives (CCD's 45, 47 and 53) for the Board to consider for approval. As a result of Chairman Hoodlet's explanations the following occurred: Selectman Rozanski moved to approve and authorize the Chairman to sign CCD 45 for the amount of \$40,000 to provide labor and materials to furnish and install a new security system as recommended by the MBC; seconded by Selectman O'Leary; All aye 5-0-0 (voted). Selectman Rozanski moved to approve and authorize the Chairman to sign CCD 47 for the amount of \$1,034.00 to change the originally specified soap dispenser unit to an upgraded unit at all toilet rooms as recommended by MBC; seconded by Selectman O'Leary; Four ayes and Chairman Musmanno Nay: 4-1-0 (voted). Selectman O'Leary moved to approve and authorize the

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MARCH 22, 2004

Chairman to approve CCD 53 in the amount of \$654.07 to provide ceramic tile flooring and marble thresholds at accessible showers at room D006 and D016 as recommended by the MBC; All aye 5-0-0 (voted).

- Chairman Hoodlet also took the opportunity to explain the proposal for additional design services submitted by Design Partnership relative to the current sports lighting design. As a result of Chairman Hoodlet's explanation Selectman Dziczek move to approve and authorize the Chairman to sign the request for additional design services request as submitted by Design Partnership as recommended by the MBC; seconded by Selectman O'Leary; All aye 5-0-0 (voted).

**5. *Report of the Town Administrator:***

- Administrator Balukonis, reported that Town of Medway staff (DPS Director D'Amico and Administrator Balukonis) will be attending the Municipal T.I.P. Day scheduled for Thursday, April 1<sup>st</sup>, and will have approximately ten minutes to make a presentation on the Town's behalf. Administrator Balukonis also reported that he will also be attending the Town Administrator's breakfast at Tri-County on Thursday, April 8<sup>th</sup>.
- Administrator Balukonis stated that Mary Beth Fraser, member of the School Committee gave her notice of resignation. Administrator Balukonis reported that Mrs. Fraser's resignation was too late to be added to the May 3<sup>rd</sup> election ballot and would therefore coordinate appointment recommendations with the School Committee and report back to the Board next week.
- Lastly, Town Administrator, Mr. Balukonis, informed the Board that Star Market extended invitations to all Board members for the VIP Pre-Opening Shopping Celebration on Thursday, March 25<sup>th</sup> from 6:00 p.m. to 7:30 p.m. and to the grand opening celebration on Friday, March 26<sup>th</sup> commencing at 7:00 a.m. followed by a ribbon cutting ceremony at 9:00 a.m.

**6. *Reports of the Selectmen***

- Selectmen Dziczek and Williams did not have a report.
- Selectman O'Leary reported that she recently attended the Housing Authority meeting and stated that a proposal for a Chapter 40 B proposal might be forthcoming and would continue to update the Board as warranted.
- Selectman Rozanski reported that she was delighted to hear that Town staff members were scheduled to attend the upcoming T.I.P. meeting and further explained the importance of representation. Selectman Rozanski also explained the T.I.P. list delay. Selectman Rozanski also mentioned that the upcoming DIF workshop sponsored by ARC Innovations scheduled on April 26<sup>th</sup> is very informative and encouraged anyone who is available to attend.

MINUTES OF THE SELECTMEN'S MEETING  
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**7. *Report of the Chairman:***

- Chairman Musmanno stated that he was in receipt of correspondence from Norfolk County Commissioners relative the regional dispatch center. Administrator Balukonis stated that he would review the notice with the Fire Chief Vinton and would report back to the Board at a later date.
- Chairman Musmanno also reported that Administrator Balukonis submitted notice of vacation next month and that an interim Town Administrator would be assigned.

**8. *China Lotus Liquor License hearing continuation:***

- Administrator Balukonis reported that Mr. Leong submitted payment for the unpaid licenses via certified check; therefore, Selectman Rozanski moved to close the hearing seconded by Selectman O'Leary; All aye 5-0-0 (voted).

**9. *2004 Annual Town Meeting Warrant:***

- Administrator Balukonis referred the Board to the most recent revised version of the 2004 Annual Town Meeting Warrant along with Town Counsel's recommendations and comments. The Chairman instructed the staff to look into the original article submission and verify the verbiage of Article number 39. There were no other comments from the Board. Administrator Balukonis stated that the final version of the Annual Town Meeting Warrant would be submitted for signature at the next Board meeting and any articles that were not included on the 2004 Annual Town Meeting Warrant would be filed away for consideration on future special town meeting warrants.

**10. *Budget Deliberations:***

- The Chairman announced that Board needed to discuss the current budget surplus of \$439,990 and asked the Town Administrator for his recommendations. Administrator Balukonis recommended that the entire additional surplus be allocated to the Health Insurance budget and feels that currently there are no additional requests that should be a higher priority than funding the Health Insurance budget deficit.
- The Board entered into a lengthy discussion and as a result, the Board voted on the following motions:
- Chairman Musmanno moved to propose an increase of the tax levy capacity by placing an override amount of \$1,241,326 on the ballot with the following break down; \$810,826 for the new school opening; \$130,500 for municipal expenses relating to the new school opening; \$300,000 for road and sidewalk maintenance; Selectman Dziczek seconded.

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- Selectman Rozanski moved to amend Chairman Musmanno's motion to include \$250,000 for insurance operating expenses; seconded by Selectman Williams. 4 Ayes; 1 Nay (Chairman Musmanno)—motion passed and would be included with the main motion.
- Selectman Williams moved to amend to include new teachers salaries of \$305,000 and \$70,000 for bussing seconded by Selectman Rozanski with the recommendation that the breakdown amounts be changed to reflect teachers salaries be \$265,000, busses remain at \$70,000 and \$40,000 to health insurance. Selectman Williams seconded the amended verbiage and the Board voted 2 Ayes (Selectmen Williams and Dziczek); 3 Nays (Selectmen O'Leary, Rozanski and Musmanno)-- motion failed.
- The Board then voted on Chairman Musmanno's main motion which now read "to propose an increase of the tax levy capacity by placing an override amount of \$1,881,203 on the ballot with the following break down; \$810,826 for the new school opening; \$130,500 for municipal expenses relating to the new school opening; \$300,000 for road and sidewalk maintenance and \$389,877 for school department expenses and \$250,000 for insurance operating expenses; seconded by Selectman Dziczek and voted as follows: Selectman O'Leary—aye; Selectman Williams—aye; Selectman Dziczek—aye; Selectman Musmanno—nay; and Selectman Rozanski—nay (3-ayes; 2-nays) motion passes.
- Diane Coulter, Fincom member asked for clarification of the override breakdown amounts. Chairman Musmanno asked the Administrative Services Assistant to read off the break down which he verified against his notes and repeated for the benefit of the attendees.

***11. McDonald's Site Plan Approval Recommendation:***

- Chairman Musmanno referred to the Planning Board's Recommendation of Site Plan Approval and the applicant's testimony heard from the previous week asking the Board if there was any further recommendations or items they wished to discuss prior to voting.
- Selectman Rozanski moved that the words "matched to" be replaced by the words "similar to" in Section VI. Specific Conditions, Item B 4. (a) (Signage Details) which refer to Benjamin Moore "Classic Burgundy" sign color; seconded by Selectman O'Leary (4-1-0) (Chairman Musmanno—Nay) voted.
- Chairman Musmanno moved that the applicant submit revised plans that reflect no internal lighting of entrance and exit signs; seconded by Selectman Williams (all ayes 5-0-0) voted.
- Selectman Williams moved to approve the Planning Board's Certificate of Recommendation with Waivers and Conditions as amended by the Board of Selectman; seconded by Selectman Dziczek (all aye 5-0-0) voted.

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***12. Treasurer/Collector Job Classification:***

- Administrator Balukonis referred to his memo requesting Board approval of the Treasurer/Collector job reclassification based on completion of the position rating form and a survey of comparable communities.
- Selectman Rozanski suggested that the job description requirement of a bachelor's degree be a minimum not desirable. Selectman Williams agreed with Selectman Rozanski's recommendation. There was a brief discussion among the members regarding the job description and Chairman Musmanno stated that the question before the Board was relative to the job reclassification and discussion of the job description was not currently before the board for discussion.
- Selectman O'Leary moved to approve the reclassification of the Treasurer/Collector's position as requested by the Town Administrator; Selectman Dziczek seconded; (all ayes 5-0-0) voted.

***13. Consideration of Solicitors Permit Application:***

- Selectman O'Leary moved to approve the Solicitors Permit Application to sell Poppies at the Medway Plaza from 9:00 a.m. to 9:00 p.m. on May 20<sup>th</sup> to 22<sup>nd</sup>, 2004, as requested by the Medway Legion Post #367 Auxiliary; Selectman Dziczek seconded; (all ayes 5-0-0) voted.

***14. Consideration of One-day Liquor License:***

- Selectman Williams moved to approve the one-day beer and wine liquor license requested by the Marian Community Center, 154 Summer Street, for Saturday, April 10, 2004, from 5:00 p.m. to 1:00 p.m.; Selectman Dziczek seconded; (all ayes 5-0-0) voted.

***15. Consideration of VHB Contract for Services:***

- Administrator Balukonis presented the VHB Contract for Services relative to the reconstruction of Summer Street and explained that there was some budgeted funds left to cover part of the cost and the difference would be funded through the DPS budget.
- Selectman Rozanski moved to approve and authorize the Chairman to sign the VHB Contract for Services in the amount of \$13,060 for the reconstruction of Summer Street (Route 126); Selectman O'Leary seconded; (all ayes 5-0-0) voted.

***16. Consideration of Citizens Petition relative to Planning Board's Sign By-law:***

- After a brief discussion regarding the Citizens Petition warrant article regarding the Planning Board's sign by-law, the Chairman instructed the staff to place such in the town meeting warrant article files for future consideration.



MINUTES OF THE SELECTMEN'S MEETING  
MARCH 22, 2004

**17. *Consideration of Star Market's letter of Credit:***

- Chairman Musmanno directed the Board to town counsel's written opinion relative to the Star Market's proposal that the Town accept a letter of credit in lieu of a passbook and asked the Board if there were any questions for discussion. Hearing none, the Chairman asked the Board how they wanted to proceed.
- Selectman Williams moved to accept the Letter of Credit in lieu of the Passbook as proposed by Star Market; Selectman O'Leary seconded; 3 ayes; 2 nays (Chairman Musmanno and Selectman Rozanski) (3-2-0) passed.

It was approaching 10:15 p.m. and Chairman Musmanno moved for a vote of the Board to continue or table the remaining agenda items as required by the Board's policies and procedures. Motion was seconded and unanimously voted to continue with the remaining business.

**18: *Town Administrator's Contract Negotiations:***

- Chairman Musmanno asked the Board for a vote to conclude the contract negotiations with the Town Administrator and renew the contract for another three years. The motion was seconded and unanimously voted to renew the Town Administrator's employment contract for another three (3) years.

*10:30 p.m. There being no further regular business to discuss, Selectman Musmanno moved to enter into Executive Session with the intention of not returning to open session for reason number three "to discuss strategy with respect to collective bargaining or litigation"; Selectman Williams seconded. Roll-call vote Selectman Dzikczek—aye; Selectman Williams—aye; Selectman O'Leary—aye; Selectman Rozanski—aye; Chairman Musmanno—aye; All ayes 5-0-0 (voted).*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

**NOTE: APPROVED BY BOS ON**

## MINUTES OF THE SELECTMEN'S MEETING

March 29, 2004

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. – 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 '04 as read in the total amount of \$497,445.65 (\$242,651.25—Town bills; \$162,626.21—Withholdings; \$12,756.57—Student Activities; \$79,411.62 Gross Town payroll); Selectman O'Leary seconded; All ayes 5-0-0 (voted).

### **2. *Approval of Proposition 2 ½ Override Question:***

- The Board entered into a brief discussion regarding the wording of the override question which read: "Shall the Town of Medway be allowed to assess an additional \$1,881,203 in real estate and personal property taxes for the purposes of opening the New High School (\$810,826), municipal expenses related to opening the New High School (\$130,500), School operating expenses (\$389,877), road and sidewalk improvements (\$300,000), and insurance costs (\$250,000) for the fiscal year beginning July 1, 2004?"
- Selectman Rozanski suggested that the word "health" be inserted before insurance. The Selectman briefly discussed the issue of making the insertion and what would happen to the funds should it be found that less money is required to fund the health insurance budget.
- Selectman O'Leary stated that she would like to see one large amount without all the breakdown figures in an effort to make the question less confusing to the voters. Selectman Dziczek supported Selectman O'Leary's comment to keep the override question simple.
- Selectman Rozanski moved that the word "health" be inserted before insurance; Selectman Williams seconded; 3-ayes, 2 Nays 3-2-0 (voted). It was moved and seconded that the override question be broken down as previously read and that the word "health" be inserted before insurance.

### **3. *Public Comments:***

- Mrs. Tina Wright addressed the Board stating her concerns regarding the allocation of additional funds to the health insurance budget should the Town elect another health insurance program and find less money is required to fund the budget. She also voiced her disappointment with the Board's action regarding lack of concern and approval of \$70,000 for additional bussing required for the opening of the new high school.

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- Chairman Musmanno stated that the Board is concerned with the bussing issue and that the Board simply felt that the \$70,000 required for bussing could be found elsewhere.
- Frank Varicchione also voiced his frustration relative to the Route 126 project and lack of action on the Board's behalf to get the project on the T.I.P. Selectman Rozanski stated that she had been very involved with the project and stated that the Selectmen were not negligent in any way and that all the required due diligence had been performed in a timely fashion. Mr. Varicchione still believed that Selectmen Rozanski was mistaken. Chairman Musmanno stated that he was in possession of a memo from the Town Administrator which he read and indicated that the Route 126 (Summer Street) is on the T.I.P. list.
- James Hoodlet, Chairman of the Municipal Building Committee stated his opinion that the override question was too specific.
- Robert Dubovsky stated that perhaps implementing some hiring freezes at the school department level instead of constant handouts by the school committee may be in order to lower the override amount and help the budget crisis that the Town faces.

### **5. *Live Entertainment License request from Golden Jade:***

- Mr. Peter Ngo approached to the Board and asked if his son, Robin, could come forward to assist with translation.
- Robin Ngo stated that Golden Jade would like to enhance their current business by offering live entertainment to the patrons on Thursday, Friday, Saturday and Sunday between the hours of 8:00 p.m. and midnight.
- Selectmen Rozanski asked how many pieces make up the band. Mr. Ngo stated two to five people depending what band is hired. Selectman Rozanski also voiced concerns relative to noise factors. Mr. Ngo stated he did not think it would be a problem because the Golden Jade did not abut residential areas and would also be willing to have the band quit at 11:30 p.m.
- Selectman O'Leary stated that she would like to get input from the Police Department. Selectman Dziczek agreed with Selectman O'Leary and also suggested that the Board request recommendations from the Building Inspector and Fire Chief in addition to recommendation from the Police Department.
- All the Selectmen voiced concerns that offering live entertainment might be turning the Golden Jade into a night club which would require different license requirements. Mr. Ngo stated he is not trying to turn the restaurant into a night club he just wants to offer live music to the patrons.

## MINUTES OF THE SELECTMEN'S MEETING

March 29, 2004

- Selectman Williams asked why Mr. Ngo wanted to have live music at the restaurant; if a cover charge would be implemented and how much income he expected to incur as a result of offering live entertainment. Mr. Ngo stated that he felt that the patrons might enjoy live entertainment and he was trying to make the town a livelier place. Mr. Ngo stated that he would not be charging a cover charge fee. Selectman Williams stated his concerns because Mr. Ngo has been before the Board for violations in the past. Mr. Ngo stated that he learned from the previous violations and that he was willing to hire security/police details to monitor and assist with running the restaurant on the days when live entertainment is offered.
- Selectman O'Leary asked if Golden Jade had ever requested temporary entertainment licenses and felt that the number of days Mr. Ngo is requesting to offer live entertainment is alot to ask for the first time. Mr. Ngo stated that he had requested one-day live entertainment licenses in the past for private parties and that perhaps the request for live entertainment could be given on a temporary basis for the remaining year as a trial period.
- There was no other testimony required by the applicants and the Board entered into a brief discussion. Selectman Rozanski moved to defer the decision to April 12<sup>th</sup> in order to get recommendations from the Police, Fire and Building Departments; Selectman O'Leary seconded; All aye (5-0-0) voted.

### ***6. Report of the Town Administrator:***

- Administrator Balukonis reported that he and DPS Director D'Amico would be attending the up coming T.I.P day scheduled for April 1, 2004.
- Administrator Balukonis stated that he had received correspondence from Massachusetts Housing Finance Agency relative to a Chapter 40B project request and if the Board wanted to speak to the applicant they would have to do so prior to April 24, 2004.
- Administrator Balukonis referred to correspondence from the Department of Public Health thanking the Town for participating in a very time consuming survey.
- Administrator Balukonis reported that the CPC would be conducting a Public Hearing on April 5<sup>th</sup>. That the town's insurance carrier, MIIA, denied the claim of Mr. Wood which involved tripping on a public sidewalk.
- Lastly, Administrator Balukonis announced that he would like to meet in Executive Session during the next scheduled Board meeting to discuss collective bargaining issues and litigation issues.

### ***7. Reports of the Selectmen***

- Selectmen Rozanski, Dziczek and Williams did not have reports this week.

## MINUTES OF THE SELECTMEN'S MEETING

March 29, 2004

- Selectman O'Leary announced that former Selectman Joe Hoban was named the Citizen of the Year and that a banquet has been scheduled for Sunday, April 25, 2004 at the Medway V.F.W. Hall.

### **8. *Report of the Chairman.***

- Chairman Musmanno asked the staff if any appointments had been scheduled for the April 5<sup>th</sup> Board meeting. There being none, it was moved and seconded to consider cancellation of the April 5<sup>th</sup> meeting.

### **9. *Board Action Items:***

- The Board indicated their approval of the 2004 Annual Town Meeting warrant by signing the final draft presented to them by Administrator Balukonis.
- The Board also executed the licenses for Richard's Casino Bar and Grill d/b/a name change as previously approved and also executed the McDonald's Site Plan Approval Certificate which was also previously approved.
- Selectman Rozanski moved to approve two requests for Town Counsel's review and advice by the Planning Board; Selectman O'Leary seconded; All ayes (5-0-0) voted.

*8:20 p.m. There being no further business to discuss, Selectman Rozanski 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*

## MINUTES OF THE SELECTMEN'S MEETING

APRIL 12, 2004

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

### **1. *Approve and sign warrant:***

- Selectman Williams moved that the Board approve and sign warrants for fiscal year '04 as read by Selectman Rozanski in the total amount of \$212,019.64 (\$93,918.06—Town bills; \$18,073.16—Withholdings; \$1,826.41—School Department Bills; \$12,120.54—Student Activities and \$86,081.47—Gross Town Payroll) Selectman Dziczek seconded; All ayes 4-0-0 (voted).

### **2. *Public Comments:***

- Robert Dubovsky approached the Board to discuss the letter he received from Chairman Musmanno and feels that he has not received information requested and further has not received satisfactory answers to his questions and requests.
- Selectman Dziczek interrupted Mr. Dubovsky and stated that he would meet with Mr. Dubovsky to address each unresolved request in effort to get closure on the items and report back to the Selectmen as needed. Mr. Dubovsky was satisfied with Selectman Dziczek's offer.

### **3. *Report of the Town Administrator:***

- Administrator Balukonis stated that he would like to appoint the Police Chief as temporary Town Administrator while he is on vacation the week of April 16<sup>th</sup>. Chairman Musmanno asked if the Board had any objections to Chief Saleski being appointed as temporary Town Administrator. There were no Board objections.
- Administrator Balukonis reported that he received a request from "Car Limo" service asking for the Board's endorsement to operate his shuttle service to and from the airport which is required by the Massachusetts Port Authority. Also included with the request was a sample letter to the MPA. Administrator Balukonis stated that the Board does not have licensing authority over private limousine/livery businesses; however the Board does have the opportunity, at this time, to voice objections the operation of this business. Chairman Musmanno stated that there is a zoning restriction in place prohibiting livery/limousine service. Selectman Williams moved that the Town Administrator prepare the letter to Massachusetts Port Authority and include the zoning by law restriction; Selectman Rozanski seconded; All ayes (4-0-0) voted.
- Lastly, Administrator Balukonis announced that he received a Dismissal of a Third Party Complaint relative to a past insurance claim dismissing the Town of any claims or obligations to the suit.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 12, 2004

**4. *Reports of the Selectmen***

- Selectman Dziczek did not have a report.
- Selectman Rozanski reported that she received an inquiry of the new school building project relative the house that was formerly erected on the site. Administrator Balukonis gave the Board copies of minutes and other correspondence relating to the issue. Chairman Musmanno stated that he recalled the Board receiving the MBC's recommendation that use of the house on site was a significant cost savings for the project in lieu of renting construction trailers and that the issue had been discussed at length and that the options to relocate or demolish the dwelling was very high. Administrator Balukonis supported the Chairman's recollection and further reported that an analysis was performed relative to the cost of relocation of the dwelling and that the Town decided to relinquish ownership of the property.
- Selectman Williams reported that Tuesday, April 13<sup>th</sup> was the last day to register to vote in order to be able to vote in the upcoming May Election scheduled May 3<sup>rd</sup> and that the Town Clerk's office would have extended work hours to accommodate any residents who wish to register.

**5. *Robert Rojee—Concern relative to warrant article:***

- Mr. Robert Rojee approached the Board to explain his concerns relative to the upcoming warrant article and the effects such would have on his real estate property.
- Administrator Balukonis indicated that his due diligence relative to the drainage issue included an inspection of Mr. Rojee's property in October 2003, consulting with other Town Departments as well as Town Counsel, and contacting the State project manager. Administrator Balukonis stated that the State responded to many inquiries indicating that they would not accept any responsibility relative to the drainage issues that Mr. Rojee reported to the Town. Administrator Balukonis reported that his due diligence resulted in the warrant article.
- Mr. Rojee stated that he did not feel the easement or warrant article would completely solve the water issue which he feels is causing erosion to his driveway and has concerns that after the paving is completed that further flooding will occur to his property which would cause him monetary damages.
- Chairman Musmanno stated his interpretation of the ongoing project and the reasoning behind the necessity of the easement and warrant article.
- Selectman Dziczek acknowledged that the Town is making an effort to improve and/or correct the problem and getting the easement is the start before the Town can investigate other options.
- Mr. Rojee stated that he has been getting the run around for the last two years.

MINUTES OF THE SELECTMEN'S MEETING  
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- Selectman Dziczek stated that he did not believe that the Town intended to give him the run around.
- Mr. Rojee clarified that he believed that the State had been giving him the run around and purposely avoided the subject. Mr. Rojee stated his main concern with the Town is relative to the land-taking warrant article and how it would affect his rights. Mr. Rojee reiterated that he is presently very concerned with the water flow and the effects it is having on his property.
- Administrator Balukonis stated that the Water Department recently studied the area and reported that a culvert is partially blocked by debris and perhaps clearing the debris would assist with the problem.
- Mr. Rojee was happy to hear that the Water Department noticed the partially blocked culvert and that the Town would be working to clear the debris. Mr. Rojee stated that he was also concerned with the current erosion damages to his property and the responsibility of repairing the area. Mr. Rojee feels that he should not have to pay for repairs to his property that he did not cause.
- Selectman Rozanski stated that she understood the concerns of Mr. Rojee and explained that the easement is required before the Town can perform the necessary work to divert the water.
- Administrator Balukonis stated that Mr. Rojee would be given fair-market value for the easement and perhaps that would remedy some of the costs.
- Chairman Musmanno stated that the issue could not be resolved at the current time. Chairman Musmanno explained that prior to Town attempting to correct the water flow problem first the Water Department would have to look into the situation as suggested earlier by the Town Administrator, and that a cost analysis would need to be done, followed by other due diligence and negotiations.
- Bob Dubovsky commented that the Town should show some good faith and have the Water Department clear the debris from the culvert and install rip wrap and hay bales in the area to assist diverting the water from the property.
- Mr. Rojee stated that he would agree to any attempts at the present time.

**6. Continuation of Golden Jade Live Entertainments request:**

- Chairman Musmanno read reports submitted by the police, fire, building and plumbing departments.



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- Mr. Robin Ngo asked if the Board would allow Golden Jade to investigate further and perhaps due some upgrades and improvements at the restaurant and to also meet again with the police, fire, building and plumbing departments and then reappear before the Board regarding the request for live entertainment. Mr. Ngo stated Golden Jade may also investigate use of karaoke equipment in lieu of live entertainment which is another reason for wanting to investigate further and temporarily hold the request for live entertainment.
- Chairman Musmanno stated that the application would be tabled for future consideration.

**7. *Consideration of Emergency Transfer Request.***

- The Department of Public Services Director came forward and explained that the emergency transfer request was needed in order to purchase a new Grasshopper tractor to replace the existing tractor which is very unreliable and is currently in need of repair and would not be worth repairing at this point, any monies expended further on this equipment would be wasted.
- Selectman Rozanski asked why the Director considered this purchase an emergency. Director D'Amico stated if he went through CIPC, he would have to wait until July and the department can not wait that long as they need to get ready now for late April/early May mowing season.
- Selectman Williams asked if the tractor had been placed in the pipeline for replacement in the past as he recalled it might have been. Director D'Amico confirmed that the equipment had been placed in the pipeline for replacement by the former DPS Director.
- Selectman Rozanski moved that the Board approve the Emergency Transfer Request in the amount of \$9,300 to purchase the Grasshopper tractor as requested by the by the Department of Public Services; All ayes 4-0-0 (voted).

**8. *Report of the Chairman.***

- Chairman Musmanno reported that he was recently near the new Star Market project at approximately 7:00 p.m. and noticed that the police detail previously ordered was not visible. Administrator Balukonis reported that he had received several complaints relative to the issue and contacted the Police Department for a status. Administrator Balukonis stated that Lt. Tingley explained to him that the detail officer was at the site but had been sitting in an automobile and therefore not visible. The Police Detail was instructed that they must be visible and going forward the detail officer will be in public view.

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- Chairman Musmanno reported he received correspondence from National Grid regarding vegetation management and instructed the administrative staff to forward a copy of the correspondence for filing at the Medway Public Library for future reference. Also, Chairman Musmanno reported that he received a request from ARC to appear before the Board and instructed the administrative staff to arrange the meeting when the representative contacts the office.
- Chairman Musmanno reported that a 40B application has been submitted by Delphic Associates and he would like to meet with the Planning Board to get input and then prepare a letter to the State as required. Chairman Musmanno also encouraged input from other Board members as well.

***9. School Committee Vacancy Appointment:***

- Administrator Balukonis reported that one resume has been submitted to date.
- Chairman Musmanno asked the board how they would like to proceed and urged all listeners interested in serving on the School Committee to apply as soon as possible.
- The Board entered into a brief discussion. Selectman Williams suggested that the Board refer the applicant resume to the School Committee and suggests that a joint meeting between the boards be scheduled. The Board entered into a brief discussion. Selectman Williams moved that the application period for the vacant school committee seat be extended to May 4, 2004; seconded by Selectman Rozanski; All aye 4-0-0 (voted).

***10. Consideration of Solicitors Permit requested by Executive Advertising:***

- Chairman Musmanno asked the board members if they reviewed the solicitors permit application and the back up documentation submitted by Executive Advertising and asked if anyone had any questions.
- Selectman Williams asked if anyone had contacted the references provided by the applicant. The administrative services assistant verified that she contacted the references listed and all parties indicated that Executive Advertising is an excellent, by-the-book organization, and runs a "tight ship". The administrative services assistant also indicated that the Police Department was in the process of conducting background checks of the canvassers and verified that Executive Advertising had previously canvassed in the town without any problems. Selectman Williams moved to approve the Solicitors Permit requested by Executive Advertising; seconded by Selectman Rozanski; All aye 4-0-0 (voted).

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***11. Consideration of bicycling marathon fundraiser requested by Tri-State Trek:***

- Chairman Musmanno asked the board members if they reviewed the fundraising request to conduct a bicycling event to benefit A.L.S. submitted by Tri-State Trek and noted the response submitted by Police Chief Saleski indicating that he and Safety Officer Watson would be meeting with the organizer of the event and would update the Administrative Services Assistant. Chairman Musmanno placed the item on hold for future consideration.

***12. Consideration of clothes collection bins requested by Planet Aid:***

- Chairman Musmanno asked the board members if they reviewed the request to place clothes collection bins at the fire station submitted by the Planet Aid organization and the response submitted by Fire Chief Vinton.
- The Board entered into a brief discussion and Selectman Rozanski moved to approve the request submitted by Planet Aid for placement of clothes collection bins at Fire Station One; seconded by Selectman Dziczek with the stipulation that the collection area be kept clean and neat at all times as well as a regular weekly collection schedule; seconded by Chairman Musmanno; 3 ayes; 1 nay (3-1-0) voted.

***13. Request by the CPC relative to Oak Street property:***

- Selectman Williams asked for clarification of the abutting property and potential for further degradation of the property. Selectman Dziczek explained the CPC's position relative to the potential purchase of the land and that the land abuts Choate Park and CPC fears the owner may sell the property to a developer. Selectman Dziczek stated that the land is classified as historic and the CPC would like the Town Administrator to contact the owner of record to discuss potential property acquisition.
- Chairman Musmanno suggested that perhaps the CPC schedule a presentation at a future Board of Selectmen meeting. Selectman Dziczek stated that Chairman Cerel was in the audience earlier but had to leave. Chairman Musmanno moved to direct the Town Administrator to approach the owner of record and investigate a potential mutually beneficial transaction; seconded by Selectman Williams; All aye 4-0-0 (voted).

***14. Informational Items:***

- Chairman Musmanno read a letter of praise to Police Chief Saleski from School Superintendent Bettencourt.
- Selectman Rozanski presented information learned from attending the recent TIP Day Presentation and indicated that Administrator Balukonis and the DPS Director did a great job representing Medway.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 12, 2004

*9:35 p.m. There being no further regular business to discuss, Selectman Musmanno moved to enter into Executive Session with the intention of not returning to open session for reason number two "purposes of collective bargaining strategy" and reason number four "to discuss strategy relating to pending litigation"; Selectman Dziczek seconded. Roll-call vote Selectman Dziczek—aye; Selectman Williams—aye;; Selectman Rozanski—aye; Chairman Musmanno—aye; All ayes 4-0-0 (Voted)*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

*NOTE: APPROVED BY BOS ON*

## MINUTES OF THE SELECTMEN'S MEETING

April 26, 2004

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

7:05 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 by Selectman O'Leary in the total amount of \$562,607.56 (\$158,263.59—Town bills; \$320,768.19—Withholdings; \$83,575.57—Town Payroll); Selectman O'Leary seconded; All ayes 3-0-0 (voted).

### **2. *Public Comments:***

- Robert Dubovsky came forward with concerns relative to the proposed upcoming override and the ongoing school roof issue. Mr. Dubovsky stated that his numerous questions and requests have not been properly addressed and that he attended the last MBC meeting and still did not receive satisfactory answers to his questions.
- Municipal Building Committee member, Frank Varrichione, gave a brief explanation of the last MBC's meeting and tried to explain the committee's position relative to the flat versus pitched roof issues.
- Selectman Williams stated that he did not wish to discuss the matter further as he believed many attempts to satisfy Mr. Dubovsky's requests have been exhausted and he did not want to waste anymore time entering into another discussion and wanted to stick by the appointments and agenda items at hand.
- Mr. Dubovsky became loud and Chairman Musmanno reminded him to stay in order. Chairman Musmanno also agreed with Selectman Williams that many opportunities had been given to Mr. Dubovsky and felt that there was nothing else to discuss presently and also reminded Mr. Dubovsky that he could contact the Chairman directly at his home telephone number.

### **3. *Health Insurance Brief—Medway Tax Facts Group:***

- Medway Tax Facts Group represented by Messieurs Andy Rodenheiser and Joseph Spinazola came forward to update the board and interested parties relative to the Town's employee health insurance issue. Mr. Rodenheiser read from some copies of laws he found while doing research that he thought might be helpful to the Town Administrator and Board.
- Mr. Spinazola asked who could answer some questions correctly relative to the health insurance issues.
- Chairman Musmanno asked if Town Counsel could advise the board on answering health insurance questions.

## MINUTES OF THE SELECTMEN'S MEETING

April 26, 2004

- Town Counsel stated that the Board should use extreme caution relative to public discussion of the health insurance issues due to upcoming contract negotiations with town employee unions.
- Tina Wright gave a brief explanation relative to the town employee health contribution rates and stated that past practice regulates what the Town must do in the present.

### **3. *Approval of Minutes:***

- Selectman Williams moved to approve regular session meeting minutes of March 22, 2004, as amended; seconded by Selectman O'Leary; All ayes 3-0-0 (voted).
- Selectman Williams moved to approve but not release executive session meeting minutes of March 22, 2004, Selectman O'Leary seconded; All ayes 3-0-0 (voted).
- Selectman Williams moved to approve regular session meeting minutes of March 29, 2004, with amendments; Selectman O'Leary seconded: All ayes 3-0-0 (voted).

### **4. *Report of the Town Administrator:***

- Administrator Balukonis gave a brief report relative to the State aide situation for fiscal 2005.
- Administrator Balukonis reported that the Town had received a \$12,820 Homeland Security Grant by the Executive Office of Public Safety.
- Administrator Balukonis stated that a Change Order for the Burke Elementary School roof was submitted for the Board's approval via the Town's architect Gale Associates which indicated a decrease of \$762.00. The contract amount would be reduced from \$538,000 to \$537,238. After a brief discussion, Selectman Williams moved to approve Commercial Roofing & Contracting, Inc.'s Change Order One in the amount of \$537,238 submitted by Gale Associates seconded by Selectman O'Leary; All ayes 3-0-0 (voted).
- Administrator Balukonis stated he also had CCD's which he would table and readdress for discussion during the Municipal Building Committee's appointment.
- Lastly, Administrator Balukonis, reported that he appointed Barbara Walls as the interim Treasurer/Collector until the final selection process was completed.

### **5. *Reports of the Selectmen***

- Selectman Williams wished to thank Vice Chairman O'Leary and Chairman Musmanno for the services as board members since this would be their last Selectmen's meeting.

## MINUTES OF THE SELECTMEN'S MEETING

April 26, 2004

- Selectman O'Leary stated that she enjoyed her term as Selectman and Vice Chairman and that she also enjoyed the interaction with other board members, as well as the many boards and committees. Selectman O'Leary reported that she attended the banquet for Joe Hoban and it was a wonderful party.

### ***6. Report of the Chairman.***

- Chairman Musmanno also expressed that he enjoyed his term as Selectman and stated that it was an honor to serve as Chairman of the Board.
- Chairman Musmanno reported that the letter to Mass. Housing relative to the Chapter 40 B project went out last week

### ***7. Health Insurance Plan Proposal:***

- Town Administrator Balukonis reported that the Insurance Advisory Committee has recommended that the Town elect to go with the MIIA health benefits package. Town Administrator Balukonis explained that the plan would change from Harvard Pilgrim HMO to a Blue Cross/Blue Shield program with several plan elections and that the Town would move from self-insured status to group-insured status which, would be a savings to the Town. Administrator Balukonis recommended that the Board consider the MIIA Health Insurance Trust Program for two years.
- Selectman O'Leary asked if the MIIA plan had been voted by the Insurance Advisory Board and if the employees would have as many choices as the current plan? Town Administrator Balukonis indicated that the Insurance Advisory Committee had voted yes and was very pleased with the MIIA plan and that the employees would have several health insurance plans to choose from and that the plans were just as good and in some cases better for the employees.
- Selectman Williams asked if the issue had to be decided upon immediately as he would prefer to table the issue when the full Board is present to discuss and decide.
- Town Administrator Balukonis explained that the insurance carriers would like to commence as soon as possible in order to make a smooth transition to another insurance plan, that all the employees will be required to fill out new enrollment forms for the new program and open enrollment dates need to be scheduled.
- The Board entered into a brief discussion which resulted with Chairman Musmanno moving that the Board approve the Health Insurance Resolutions; seconded by Selectman O'Leary; Aye--1 (O'Leary); Nay--2 (Williams and Musmanno) 1-2-0 (fails). Chairman Musmanno instructed the administrative staff to schedule the item for discussion at the next scheduled board meeting.

## MINUTES OF THE SELECTMEN'S MEETING

April 26, 2004

### **8. *Voluntary Tollbooth requested by HOPE:***

- Frank and Sharon McComb came forward and spoke on behalf of HOPE and asked the Board to approve their request for a voluntary tollbooth on May 8<sup>th</sup> at the intersection of Route 109 and Main Street. Selectman O'Leary spoke in support of the organization. Selectman Williams moved to approve the request to conduct a voluntary tollbooth on May 8<sup>th</sup> at the intersection of Route 109 and Main Street to benefit Hope; seconded by Selectman O'Leary; Aye 2 (O'Leary and Williams) Nay—1 (Musmanno) 2-1-0 (voted).

### **9. *Donation of Services by Fasolino Landscape Design & Construction:***

- Chairman Musmanno read the letter submitted by Fasolino Landscape Design & Construction signed by Matt Fasolino to donate his company's services of planting, mulching and maintaining the "entering Medway" sign locations on Milford and Village Streets. After a brief discussion and public thank you to the Fasolino's, Selectman O'Leary moved to accept the donated services of maintaining the entering Medway locations with the requirement that all work be coordinated and approved through the Department of Public Services Director; All ayes 3-0-0 (voted). Selectman Williams moved to approve the erection of a small sign (18" x 12") with the company name and telephone number at the sites; All ayes 3-0-0 (voted).

### **10. *Informational Items:***

- Chairman Musmanno read the notice forward from the Norfolk County Mosquito Control regarding the aerial laval control schedule.
- Selectman O'Leary mentioned the upcoming invitation to the Eagle Scout Court of Honor scheduled for May 17, 2004, at St. Joseph's Parish Center and also congratulated the scout candidates.

*8:35 p.m. There being no further regular business to discuss, Selectman Williams moved that the regular Board of Selectmen's meeting be adjourned and that the Selectmen enter into executive session to discuss two issues under Reason 3 (To discuss strategy with respect to collective bargaining or litigation...) not to return to public session; Selectman O'Leary seconded; Selectman Williams—aye; Selectman O'Leary--aye and Chairman Musmanno—aye (All ayes 3-0-0 voted).*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

**NOTE: APPROVED BY BOS ON**



MINUTES OF THE SELECTMEN'S MEETING  
MAY 3, 2004

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

7:05 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 '04 as read by Selectman O'Leary in the total amount of \$1,015,882.46 (\$136,692.96—Town bills; \$150,823.25—Withholdings; \$20,060.70—School bills); \$17,129.41—Student Activities; Gross Town Payroll—\$92,238.11 and School payroll—\$598,938.03) Selectman O'Leary seconded; All ayes 5-0-0 (voted).

**2. *Public Comments:***

There were no public comments this week

**3. *Report of the Town Administrator:***

- Administrator Balukonis stated that he wanted to update and report back to Board relative to the Health Insurance matter and would delay his report until that item on the agenda was reached for discussion.

**4. *Reports of the Selectmen***

- The Selectmen did not have reports.

**5. *Report of the Chairman.***

- Chairman Musmanno did not have a report.

**6. *Consideration of Health Insurance Plan Proposal.***

- Town Administrator Balukonis reported that the town employee health insurance program would change from a self-insured program plan to a premium program plan being offered by MIIA and passed out a benefit comparison chart for the Board's reference. Town Administrator Balukonis stated that the Insurance Advisory Committee reviewed five other plan scenarios and unanimously voted to go with the MIIA program as all members strongly felt the program offered by MIIA would benefit the Employee and the Town the most. Town Administrator Balukonis stated that if the Town elected to stay status quo with the Harvard Pilgrim HMO plan the rates would increase to 17% (individual) and 19% (family) and going with the Blue Cross Blue Shield HMO program would only be a 2% increase over Fiscal 2004.

MINUTES OF THE SELECTMEN'S MEETING  
MAY 3, 2004

- Selectman Rozanski said this was a policy change going from a self-insured to a premium based program
- Chairman Musmanno asked if Town Counsel reviewed the draft Resolution. Town Administrator Balukonis, stated that Town Counsel did review the draft Resolution and had no concerns with the Board going forward.
- There was a very brief discussion among the Board members. There being no other questions or discussion, Chairman Musmanno asked the Clerk to read the draft Resolution. Selectman O'Leary read the draft Resolution and Chairman Musmanno moved to issue the Resolution; seconded by Selectman O'Leary; All aye (5-0-0) voted.
- Chairman Musmanno commented that a lot of effort had been put into this issue of Health Insurance which, included discussions for well over a year.

***7. Approval of CCD's submitted by the Municipal Building Committee.***

- Selectman Williams moved to approve CCD 41A totaling \$2210.00; seconded by Selectman O'Leary; All aye (5-0-0) voted.
- Selectman Williams moved to approve CCD 69 totaling \$660.00; seconded by Selectman O'Leary; All aye (5-0-0) voted.
- Selectman Williams moved to approve CCD 70 representing a credit totaling \$6000.00; seconded by Selectman O'Leary; All aye (5-0-0) voted.

*7:20 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***

## **Board of Selectmen Meeting Minutes May 10, 2004**

The meeting was called to Order at 6:35 p.m. in the High School, Room 120, prior to the opening session of the annual town meeting.

The following Board members were present: Joseph Dziczek, John Williams, Raphaela Rozanski, James Galligan and Kent Scott. Town Administrator, Greg Balukonis was also in attendance.

### Board Reorganization

Selectman Rozanski asked for nominations. Raphaela Rozanski and Joseph Dziczek were both nominated as Chairman. Voted 2-3-0 for Selectman Rozanski. Voted 3-2-0 for Selectman Dziczek, who was elected as Chairman. Selectman Williams moved to make the vote unanimous. It was voted 5-0-0 the Board approve Selectmen Dziczek as Chairman by unanimous consent.

John Williams was nominated as Vice Chairman. Voted 5-0-0 for Selectman Williams, who was elected Vice Chairman.

Raphaela Rozanski was nominated as Clerk. Voted 5-0-0 for Selectman Rozanski, who was elected Clerk.

The Board welcomed new members James Galligan and Kent Scott who were recently elected.

### Approval of Warrants

It was moved and voted 5-0-0 to approve the payroll and vendor warrants, dated May 10, 2004.

### Construction Change Directives- New High School

It was moved and voted 5-0-0 to approve CCD 070 for a credit of \$6,000.

It was agreed to defer action on the remaining construction change directives until the May 17<sup>th</sup> meeting.

### Solicitors Permits

It was moved and voted 5-0-0 to grant a Solicitors Permit to Paul Lavalley on behalf of the Medway VFW Post for sale of poppies.

It was moved and voted 5-0-0 to extend the Solicitors Permit to Joseph Deveau to June 30, 2004.

**Board of Selectmen Meeting Minutes**  
**May 10, 2004**

Keno License- Zio Paolo's

A letter was acknowledged from the State Lottery Commission indicating Zio Paolo restaurant had applied for a Keno License. The Selectmen agreed to meet with Zio Paolo's manager on May 17<sup>th</sup> to review the license application.

Department of Education- School Spending

The Board acknowledged correspondence from the Department of Education indicating Medway was exceeding the mandatory school spending requirements for fiscal 2004 by \$2 million.

Other Business

A letter was received from the Library Trustees noting the dedicated service of Sally Nolan, who is planning to retire after 22 years. The Selectmen thanked Ms. Nolan for her valuable contributions to the Medway Library.

Being no further business, the meeting was adjourned at 7:10 p.m. with the Board of Selectmen members reporting to the annual town meeting.

Respectfully Submitted,

Greg Balukonis  
Town Administrator

*Approved by Board of Selectmen:*

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

Present: Chairman Joseph Dziczek, Selectmen Raphaela Rozanski, Jim Galligan, and Kent Scott, John Williams, Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson.

The meeting was called order by Chairman Dziczek at 7:00 p.m. All stood for the Pledge of Allegiance.

### 1. *Public Comments:*

#### *Medway Tax Facts*

- Mr. Salvatore LaRiccia of the Medway Tax Facts Group was present and asked the Board of Selectmen to support his contacting Town Counsel for assistance in preparing a rewrite of a warrant article that he intends to submit for the next Town Meeting.
- Selectman Rozanski moved that the Board allow Mr. LaRiccia to get input and assistance from Town Counsel in order to prepare the warrant article; seconded by Selectman Galligan. Chairman Dziczek asked the Board members if there was anything they wished to discuss before voting on said motion. Selectman Galligan inquired if Town Counsel works on a fee basis. Administrator Balukonis indicated that Town Counsel bills against a set amount of hours approved by the Board. Chairman Dziczek inquired if Administrator Balukonis could assist Mr. LaRiccia. Administrator Balukonis stated that he would not and should not give assistance to Mr. LaRiccia on any sort of legal issue. Selectman Williams stated that he certainly would not want to prohibit any citizens from becoming involved in local government or any questions they have relative to such; however, he believes that the Board does not have an obligation to assist citizens with these types of issues and is not in favor of supporting such. Selectman Scott agreed with Selectman Williams not to use town services and funds for this issue. Chairman Dziczek then called for the Board vote: 1-aye (Selectman Rozanski) and 4 nays (Selectmen Scott, Galligan, Williams and Dziczek)—motion failed.
- Mr. Andrew Rodenhiser came forward to thank the Board for allowing him to participate in the meetings. Mr. Rodenhiser passed documentation packets of information that he has been gathering relative to employee health insurance issue. Selectman Williams thanked Mr. Rodenhiser for his efforts and indicated that the Board is currently getting advice from legal counsel relative to the matter for future consideration. Selectman Rozanski indicated that the Board has not voted on anything at the present time.

#### *Robert Dubovsky*

- Came forward relative to his concerns that the Town did not follow proper procedures regarding the school roof repair issue and awarding of the contract. Administrator Balukonis informed Mr. Dubovsky that the Town did in fact follow proper procedures beginning with obtaining a vote of Town meeting on May 14, 2001, and of the June 25, 2001 Special Town meeting as well as a timeline of the due diligence efforts required relative to the school roof project. Mr. Dubovsky

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

was satisfied that the Town Administrator followed the correct protocol relative to the school roof repair and contract awarding; however, he indicated his disappointment that he had never been notified that such had occurred. Administrator Balukonis indicated that question about the contract awarding procedure was not asked and, therefore, not addressed.

### **2. *Keno License requested by Zio Paolo's***

- Mr. Paul Winshman, Owner/Manager of Zio Paolo's approached the Board relative to his request for a Keno License. Mr. Winshman indicated that he has a very good relationship with the State Lottery Commission and that the Commission sometimes uses his establishment as a model for other business to follow. Mr. Winshman indicated that he would be willing to get letters of recommendation from the State regarding his good standing if the Board so wished.
- Selectman Rozanski asked if he ever had problems with his other establishments. Mr. Winshman indicated that he did not have any issues with the State lottery commission.
- Selectman Williams indicated that he did not object to the Keno license and moved that the Board support the application for Keno license seconded by Selectman Rozanski; All aye 5-0-0 (voted).

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### **3. *Approval of Minutes:***

- Selectman Rozanski moved to approve regular meeting minutes of May 10, 2004. So voted (4-0-0).

### **4. *Approve and sign warrants:***

- Selectman Rozanski moved that the Board approve and sign warrant # 47 in the total amount of \$1,187,087.90. It was so voted (4-0-0).

### **5. *James Hoodlet, Municipal Building Committee:***

- James Hoodlet stated that the High School project is slightly behind schedule with an expected completion at the end of June. He stated that town will be purchasing furniture and equipment with an expected delivery in July.
- Mr. Hoodlet provided Board of Selectmen members with a financial update on the \$29,042,000.00 original budget voted. He noted about \$4,000,000.00 remains for payment of retainage and FF&E. The contingency amount is about \$1.7 million. The Municipal Building Committee is considering additional work within the \$1.7 million amount.
- The project is over 90% complete. A total of 86% of the total budget has been expended.

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

- Mr. Hoodlet responded to questions about the party responsible for the Change Order Directives. He noted in some cases the architect will be held responsible. The design drawings are not perfect. Overall, the Municipal Building Committee was pleased with the architect's services.
- Chairman Dziczek asked Mr. Hoodlet about the issue of flat vs. sloped roofs. Mr. Hoodlet stated the Municipal Building Committee believes the recommended flat roofs are appropriate.

### **6. Medway Fire & EMS Association:**

- Colin McCarthy, Andrew Mahan, Christopher Mele present. The members stated they are looking to establish a collective bargaining unit for the purposes of establishing employment terms and conditions. The bargaining unit would include only full-time personnel below the rank of Chief.
- Andrew Mahan stated that Medway would be part of the PFFM. They would affiliate with the Norfolk Fire Department.
- Selectman Rozanski stated the Board of Selectmen needs to confirm the appropriateness of establishing a Fire/EMS bargaining unit. It was agreed to revisit the matter on June 7, 2004.

### **7. Report of the Town Administrator:**

- Town Administrator, Mr. Balukonis, recommended that the Board request Michael Sarkis meet with them on June 7, 2004 to review his request for a Solicitor's Permit. No action taken.
- Middle School Roof Bid Award. Town Administrator, Mr. Balukonis presented. The Board of Selectmen requires Gale Associates to provide a resume for the roof monitor and retains the right, under contract, to request qualified replacements.
- Selectman Rozanski moved to authorize the contract with Commercial Roofing, Inc. in the amount of \$673,000.00 and allow Chairman Dziczek to sign on behalf of the Board of Selectmen.

### **8. Reports of the Selectmen:**

- Selectman Rozanski asked that Administrator Balukonis contact CTPS regarding Route 126 not appearing on the most recent TIP draft. Administrator Balukonis will contact Rep/ Senator as soon as possible.

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

- Selectman Galligan wished Fire Chief Vinton well during his recovery from surgery.
- Selectman Rozanski asked about roadway layouts and acceptances. Administrator Balukonis to provide Board of Selectmen with Town Counsel's opinion.
- The Board of Selectmen to discuss Board and Committee liaisons on June 7, 2004.

### **8      *Report of the Chairman:***

- Chairman Dziczek asked the Board of Selectmen to review correspondence on Planet Aid for discussion June 7, 2004.
- Chairman Dziczek updated Community Preservation Committee activities. He mentioned that the Committee Preservation Committee is interested in the property at 2-B Oak Street.
- Chairman Dziczek stated that the Board of Selectmen and School Committee need to make an appointment to the School Committee. It was agreed to meet with the School Committee on June 3, 2004.
- Selectman Rozanski moved to approve Hazardous Waste Day on June 5, 2004 from 8:30 a.m. to 1:00 p.m. at the Alder Street cul-de-sac.
- Chairman Dziczek inquired about the Memorial Day Parade. Administrator Balukonis to provide an email to BOS members.

### **9.      *CCD's New High School:***

- Selectman Rozanski moved approval of CCD's for the New High School. Voted (4-0-0).
- Selectman Galligan moved to approve CCD 071. Voted (4-0-0).

There being no further business to discuss, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Greg Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*



MINUTES OF THE SELECTMEN'S MEETING  
May 24, 2004

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

Present: Chairman Joseph Dziczek, Selectmen Raphaela Rozanski, Jim Galligan, and Kent Scott (late) and Town Administrator, Greg Balukonis. Selectman John Williams was absent.

The meeting was to called order by Chairman Dziczek at 7:04 p.m. All stood for the Pledge of Allegiance.

### **1. *Public Comments:***

- Robert Dubovsky was present inquiring about the status of the Middle School roof contract. Dubovsky provided the Board of Selectmen with a handout "Medway Middle School Roof Replacement", dated 5/24/04. He urged the Board of Selectmen not to approve a contract for construction of a flat roof for reasons stated in his handout.

### **2. *Common Victualler's License requested by Starbucks Coffee***

- Dan Brennan, Starbucks Coffee requested a Common Victualler license in the Medway Commons Plaza. The proposed hours of operation are 5:00 a.m. to 12 midnight. The Starbucks will be located on Main Street, east of the new McDonalds. Mr. Brennan anticipates Starbucks would close earlier than midnight, likely at 9:00 p.m.
- Selectman Rozanski moved to approve the Common Victualler license for from 5:00 a.m. to 11:00 p.m.

### **3. *Approval of Minutes:***

- Selectman Rozanski moved to approve regular meeting minutes of May 10, 2004. So voted (4-0-0).

### **4. *Approve and sign warrants:***

- Selectman Rozanski moved that the Board approve and sign warrant # 47 in the total amount of \$1,187,087.90. It was so voted (4-0-0).

### **5. *James Hoodlet, Municipal Building Committee:***

- James Hoodlet stated that the High School project is slightly behind schedule with an expected completion at the end of June. He stated that town will be purchasing furniture and equipment with an expected delivery in July.
- Mr. Hoodlet provided Board of Selectmen members with a financial update on the \$29,042,000.00 original budget voted. He noted about \$4,000,000.00 remains for payment of retainage and FF&E. The contingency amount is about \$1.7 million. The Municipal Building Committee is considering additional work within the \$1.7 million amount.

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

- The project is over 90% complete. A total of 86% of the total budget has been expended.
- Mr. Hoodlet responded to questions about the party responsible for the Change Order Directives. He noted in some cases the architect will be held responsible. The design drawings are not perfect. Overall, the Municipal Building Committee was pleased with the architect's services.
- Chairman Dziczek asked Mr. Hoodlet about the issue of flat vs. sloped roofs. Mr. Hoodlet stated the Municipal Building Committee believes the recommended flat roofs are appropriate.

### **6. Medway Fire & EMS Association:**

- Colin McCarthy, Andrew Mahan, Christopher Mele present. The members stated they are looking to establish a collective bargaining unit for the purposes of establishing employment terms and conditions. The bargaining unit would include only full-time personnel below the rank of Chief.
- Andrew Mahan stated that Medway would be part of the PFFM. They would affiliate with the Norfolk Fire Department.
- Selectman Rozanski stated the Board of Selectmen needs to confirm the appropriateness of establishing a Fire/EMS bargaining unit. It was agreed to revisit the matter on June 7, 2004.

### **7. *Report of the Town Administrator:***

- Town Administrator, Mr. Balukonis, recommended that the Board request Michael Sarkis meet with them on June 7, 2004 to review his request for a Solicitor's Permit. No action taken.
- Middle School Roof Bid Award. Town Administrator, Mr. Balukonis presented. The Board of Selectmen requires Gale Associates to provide a resume for the roof monitor and retains the right, under contract, to request qualified replacements.
- Selectman Rozanski moved to authorize the contract with Commercial Roofing, Inc. in the amount of \$673,000.00 and allow Chairman Dziczek to sign on behalf of the Board of Selectmen.

### **8. *Reports of the Selectmen:***

- Selectman Rozanski asked that Administrator Balukonis contact CTPS regarding Route 126 not appearing on the most recent TIP draft. Administrator Balukonis will contact Rep/ Senator as soon as possible.

## MINUTES OF THE SELECTMEN'S MEETING

May 24, 2004

- Selectman Galligan wished Fire Chief Vinton well during his recovery from surgery.
- Selectman Rozanski asked about roadway layouts and acceptances. Administrator Balukonis to provide Board of Selectmen with Town Counsel's opinion.
- The Board of Selectmen to discuss Board and Committee liaisons on June 7, 2004.

### **8     *Report of the Chairman:***

- Chairman Dziczek asked the Board of Selectmen to review correspondence on Planet Aid for discussion June 7, 2004.
- Chairman Dziczek updated Community Preservation Committee activities. He mentioned that the Committee Preservation Committee is interested in the property at 2-B Oak Street.
- Chairman Dziczek stated that the Board of Selectmen and School Committee need to make an appointment to the School Committee. It was agreed to meet with the School Committee on June 3, 2004.
- Selectman Rozanski moved to approve Hazardous Waste Day on June 5, 2004 from 8:30 a.m. to 1:00 p.m. at the Alder Street cul-de-sac.
- Chairman Dziczek inquired about the Memorial Day Parade. Administrator Balukonis to provide an email to BOS members.

### **9.     *CCD's New High School:***

- Selectman Rozanski moved approval of CCD's for the New High School. Voted (4-0-0).
- Selectman Galligan moved to approve CCD 071. Voted (4-0-0).

There being no further business to discuss, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Greg Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SELECTMEN'S MEETING  
May 24, 2004

## MINUTES OF THE SELECTMEN'S MEETING

June 28, 2004

Present: Chairman Joseph Dziczek, Selectmen Raphaela Rozanski, Jim Galligan, John Williams and Kent Scott, Town Administrator, Greg Balukonis and Town Counsel, Richard D. Maciolek.

The meeting was called to order by Selectman Williams at 6:35 p.m. in Room 120, Medway High School, 45 Holliston Street.

### **Approval of warrants:**

- Selectman Rozanski moved to approve warrants dated 6/28/04 in the total amount of \$1,610,684.16. It was so voted (5-0-0).

### **Reports of the Selectmen:**

- Selectman Rozanski reported on attending an Eagle Scout ceremony.
- Selectman Galligan inquired about whether a date had been set for the next Audit Committee meeting. Administrator Balukonis responded that a date had not been set, but he would try to arrange a meeting for the week of 7/12/04.

### **New High School CCDs:**

- MBC Chairman, James Hoodlet was present to answer questions about several outstanding CCD's that were not approved at the 6/21/04 Board of Selectmen meeting. Mr. Hoodlet responded to questions about which party may be responsible for the costs associated with the proposed CCD's.
- Selectman Williams moved to approve CCD 075. Voted (5-0-0).
- Selectman Williams moved to approve CCD 076. Voted (5-0-0).
- Selectman Williams moved to approve CCD 077. Voted (5-0-0).
- Selectman Scott moved to approve CCD 074. Voted (5-0-0).  
Administrator Balukonis stated that CCD #74 was not in the Board's meeting package since no explanation was offered.

### **High School Technology Contract:**

- Selectman Williams moved the Board of Selectmen approve the High School Technology Contract in an amount not to exceed \$881,519.52. Voted (5-0-0).

### **Approval of Special Counsel:**

- Administrator Balukonis stated that he met with the Planning Board early in the evening, and apprised them that Attorney Leonard Kesten was appointed. He contacted Mr. Kesten who confirmed the civil rights claim by Clafoo Corporation is likely covered under the Town's professional liability insurance.

## MINUTES OF THE SELECTMEN'S MEETING

June 28, 2004

- Planning Board Chairman, Dan Hooper asked the Board of Selectmen to consider appointment of another attorney who is experienced with subdivision matters. Mr. Balukonis stated that he sees no reason to act on this request, and he believes Attorney Maciolek is capable of defending the Town of Medway.

### **Town Administrator Report:**

- Mr. Balukonis stated that he would defer his report in the interest of time.

### **Special Town Meeting Articles:**

- The Board of Selectmen addressed Articles #14 and 15 on this evening's Special Town Meeting warrant.
- Selectman Rozanski stated she doesn't feel eminent domain is the proper action for 29 Main Street (Rojee) or 2B Oak Street.
- Selectman Williams moved the Board of Selectmen support dismissal of Article #15. Voted (5-0-0).
- At this point, Robert Rojee, 29 Main Street approached the Board to voice his concerns over Article #14. He stated the appraised value of \$630 is too low. He also questioned the proposed eminent domain taking for a drainage easement. Attorney Maciolek provided his views on the same issue.
- Selectman Rozanski moved the Board of Selectmen support dismissal of Article #14. Voted (5-0-0).

### **Board of Selectmen Appointments:**

- Selectman Williams moved to approve by consent the last of the Board of Selectmen appointments and liaisons as shown on the attached list\*.

### **Other Business:**

- John O'Malley, 14 Legion Avenue, asked the Board of Selectmen to consider execution of a Release Deed for the railroad easement on his property. The Town Administrator noted this matter was forwarded to Attorney Maciolek for a legal review, and was awaiting for Town Counsel's response.
- Mr. O'Malley explained that he is moving out of town, and wishes to enter into an agreement for sale of the premises at 14 Legion Avenue. He asked the Board of Selectmen to approve, as the lack of a signed Release Deed is an obstacle to selling the property.

## MINUTES OF THE SELECTMEN'S MEETING

June 28, 2004

- It was agreed to sign the Release Deed upon hearing back from Town Counsel. The Deed would be left at the Town Clerk's Office where Board of Selectmen members could sign before the 7/12/04 meeting.
- Selectman Williams moved to approve the Release Deed with John O'Malley, 14 Legion Avenue subject to the conditions in the above paragraph. Voted (5-0-0).

There being no time to discuss further business, the meeting was adjourned at 7:03 p.m. in order to commence the Special Town Meeting.

At 8:30 p.m., Chairman Joseph Dziczek reconvened the meeting to consider a request by Charter Realty. The Town Administrator explained Charter's engineer submitted a letter explaining that the road work that was required under Site Plan approval has been completed. Mr. Balukonis noted that DPS had yet to perform a final inspection that confirms the completion of work on Holliston and Main Streets. One of the conditions of Site Plan Approval was the completion of all road work before the issuance of additional occupancy permits. He asked the Board of Selectmen to allow the issuance of an occupancy permit for Liquor World, subject to: 1) A report by DPS that all road work had been completed satisfactorily; 2) an inspection by the Building Inspector of the premises to be occupied by Liquor World. The Board indicated it would act on the formal acceptance of road improvements and review the As-built Site Plan at the 7/12/04 meeting. The Board of Selectmen indicated their agreement provided Town Officials approve Charter's requests.

There being no further business, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Greg Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*



## MINUTES OF THE SELECTMEN'S MEETING

July 26, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, James Galligan, and Kent Scott, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was not present.

7:01 p.m. – Chairman Dziczek called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

### **1. *Public Comments:***

- Mr. Edward Reardon was present to complain about the conditions on Village Street. He asked about the status of \$300,000 in road improvement funds voted at the Annual Town Meeting. Mr. Reardon claims Village Street is dangerous because of the truck traffic. The Board requested the Town Administrator look into the assessment of road maintenance to CRPCD (Charles River Pollution Control District) as Medway is the host community as could be entitled to funds to offset the cost of improving Village Street.

### **2. *Town Official Updates:***

#### ***Barbara Walls, Treasurer/Collector—Title V Septic Betterment bonds.***

- Treasurer Walls stated the Town needs to permanently bond money loaned under the Title V Septic Betterment Program and explained that the Board previously voted to issue the bonds. The Board approved the bonds and executed documents for the Title V Septic Betterment Program.

#### ***Board of Health—Bio-Cord Filters.***

- Board of Health Agent, William Fisher introduced members of the Board of Health who were present. He outlined the proposed scope of services for the restoration of Choate Pond. Ray Lennon addressed the feasibility of sediment removal from Choate Pond which is necessary in addition to the Bio-Cord filters and a diversion pipe. The Board of Health members unanimously support the restoration of Choate Pond.
- Selectman Galligan asked what plans there are for odor reduction during the sediment removal. Mr. Lennon anticipates the dredging will take place over a seven (7) days period, and residents may need to tolerate odors for a short period.
- Selectman Rozanski questioned the project time-frame in order for the Treasurer to bond for project expenses.
- Selectman Scott recommended that the Board of Health firm up plans for the destination of any sediment removal from Choate Pond.
- Mr. Brian Bowes was present from Costal Aquacultural Supply. He made a presentation on the Bio-Cord filter system. The earlier the filters can be installed in the 2005 season, the better for water quality. Mr. Bowes stated the track record of Bio-Cord is good, but he is unable to offer a guaranty as to its performance. Mr. Bowes provided the Board with his findings on the technical performance of Bio-

## MINUTES OF THE SELECTMEN'S MEETING

July 26, 2004

Cord. Mr. Bowes indicated that he is unaware of similar applications in other municipalities as no other towns in Massachusetts use the Bio-Cord filter. He noted that the estimated filter life is approximately ten (10) years.

- Selectman Williams moved that the Board approve the contract with Coastal Aquacultural Supply not to exceed \$12,732.06.
- Selectman Galligan would like to see positive references from others using the product in ponds with similar problems before the Board approves this proposal.
- Selectman Rozanski questioned the time line for delivery and installation of the Bio-Cord and if the filter could be installed immediately. Mr. Bowes replied they are in stock for immediate installation.
- Selectman Williams stated that he has faith in Health Agent Fisher and the Board of Health recommendations.
- Selectman Dziczek feels the same about an expense that is under \$13,000.00 and does not want to delay the process of cleaning up Choate Pond.
- The Board voted to approve, subject to satisfactory references on Coastal Aquacultural Supply; (4-1-0) passed.

### **Forrest Edge Subdivision Resident Concerns:**

- Christopher Lesage, a resident was present. Selectman Dziczek mentioned he recently spoke with developer Jonathan Bruce. Mr. Bruce is favorable to entering into private discussions in an effort resolve the residents concerns about completing the unaccepted roads.
- Mr. Bruce was unwilling to attend the open meeting on the advice of his legal counsel. He is interested in assurances that the road bond will be released upon completion of the necessary road work.
- Mr. Lesage explained that until the Jonathan Bruce/George Caram litigation is resolved, the Planning Board is unwilling to release the road bond. His opinion is the residents are in a catch-22 situation. The Town Administrator was directed to arrange a meeting date including Mr. Bruce, representatives of the Board of Selectmen and Planning Board. The Board of Selectmen indicated no objection to a resident member being involved in discussions with Town Officials and Mr. Bruce.
- Trinette Mitchell asked about the land Mr. Bruce intends to develop on Lovering Street. The Board stated no plans have been submitted at this point for additional development. Administrator Balukonis agreed to notify Mr. Lesage on the proposed meeting date.

### **Municipal Building Committee – High School CCD's:**

## MINUTES OF THE SELECTMEN'S MEETING

July 26, 2004

- John Ciccolo from The Design Partnership of Cambridge was present. He noted CCD 80 in the amount not to exceed \$190,000 was unanimously recommended for approval by the Municipal Building Committee. Mr. Ciccolo stated that this CCD resolves all outstanding issues until July 7, 2004, and that the CCD was also recommended for approval by special legal counsel to the MBC.
- Selectman Williams moved to approve CCD 80 in an amount not to exceed \$190,000; All ayes 5-0-0 (voted).

### **3. *Approve and sign warrant:***

- Selectman Rozanski moved that the Board approve and sign warrants for fiscal year '05 as read in the total amount of \$1,046,023.03; all ayes 5-0-0 (voted).

### **4. *Approval of Minutes:***

- Selectman Williams moved to approve regular session meeting minutes of April 26, 2004 with corrections; All ayes 5-0-0 (voted).
- Selectman Williams moved to approve but not release executive session meeting minutes of April 26, 2004; All ayes 5-0-0 (voted).
- Selectman Dziczek moved to approve regular session meeting minutes of May 3, 2004 with corrections; All ayes 5-0-0 (voted).
- Selectman Williams moved to approve but not release executive session meeting minutes of April 26, 2004 with additions; (tabled).

### **5. *Report of the Town Administrator:***

- Administrator Balukonis, reported that the Fiscal 2005 Transportation Improvement Program (T.I.P.) list was just released and that the Route 126 project is included on the on the funding list at \$4,400,00. The Board indicated they are very encouraged. The TIP list does not become finals until after a 35-day comment period.
- Administrator Balukonis acknowledged correspondence from Representative James Vallee concerning the so-called pothole money for educational purposes. The Board requested the letter be forwarded to Superintendent Grandmont.
- Administrator Balukonis noted the ABCC will be conducting a liquor license training session.
- Lastly, Administrator Balukonis indicated the full-time firefighter/emergency medical technician position approved at the annual town meeting was advertised and applications are now being accepted. Several call firefighters/emergency medical technician vacancies were also advertised at the same time.

## MINUTES OF THE SELECTMEN'S MEETING

July 26, 2004

### **6. Solid Waste Consulting Services:**

- Selectman Rozanski moved to approve a contract for solid waste consulting services for \$1,830.00.

### **7. Road Improvement Plan:**

- David D'Amico was present to review his recommendations for road improvement projects. The total amount of funds is \$712,358.00, including Chapter 90 and Town funds. Selectmen Williams suggested the proposed five-ton dump truck/sander be presented to CIPC, and scheduled for the next Special Town Meeting. Selectman Williams moved to approve the Fiscal 2005 Road Improvement Plan dated July 23, 2004, less the 5-ton dump/sander truck; All aye (5-0-0) voted.

### **8. New High School Furnishings & Equipment:**

- Selectmen executed contracts for various furnishings, fixtures and equipment.

### **9. New High School Benches:**

- No action was taken on the bench proposals for the new high school due to conflicting language involving the prevailing wage law.

### **10. Fiscal 2004 Interdepartmental transfers:**

- Selectman Rozanski moved to approve budget transfer requests for the following departments: Fire (4-0-1 voted with Selectman Galligan abstaining), Selectmen (5-0-0 voted), MIS (5-0-0 voted), Property and Liability Insurance (5-0-0 voted).

### **11. Reports of the Selectmen:**

- Selectman Scott did not have a report this week.
- Selectman Galligan reported that Representative Vallee supported the funding for the Route 126 project if it should not be on the final T.I.P. list. Selectman Galligan also inquired about the list of ADA/Access issues for the new high school. Administrator Balukonis responded that there is a lengthy list of problems that must be resolved.
- Selectman Rozanski reported the Fiscal 2005 State Budget includes earmarking funds for the Route 126 projects. Selectman Rozanski also noted that DHCD disapproved the Town's grant application for expansion of the Senior Center and gave a status report on the Transportation Bond Bill.
- Selectman Williams suggested that the Board engage the services of special counsel for collective bargaining matters before the Board. Selectman Rozanski

## MINUTES OF THE SELECTMEN'S MEETING

July 26, 2004

moved to engage outside special counsel as proposed by Selectman Williams; voted 3-0-2 with Selectmen Dziczek and Scott abstaining.

### ***12. Report of the Chairman:***

- Chairman Dziczek asked Administrator Balukonis to respond to the School Committee's letter of July 14, 2004. Selectman Galligan will be the Board designee.

### **13. Other Business:**

- The Board took no action on the Rypos letter requesting a site plan extension. The matter will be addressed at the next scheduled Board meeting.
- Administrative Assessor, Brit Hall and Chairman Johnson noted that they are in receipt of two deeds for Granite Estates. He explained they are for detention ponds, and there may be a liability issue if the Town is owner. Administrator Balukonis responded that he would look into the matter.

*10:05 p.m. There being no further business to discuss, Selectman Williams moved that the regular session meeting be adjourned and the Board enter into Executive Session for reason 3 and 6 not to return to open session; Selectman Scott—aye, Selectman Galligan—aye; Selectman Rozanski—aye; Selectman Williams—aye and Chairman Dziczek—aye; All ayes 5-0-0 (voted).*

Respectfully submitted,

Greg Balukonis  
Town Administrator

***NOTE: APPROVED BY BOS ON***

MINUTES OF THE AUDIT COMMITTEE MEETING  
JULY 29, 2004

Present: Audit Committee members: Susan Connolly, George Hale and James Galligan; Frank Biron from Melanson and Heath, Town Administrator, Greg Balukonis, Town Treasurer/Collector Barbara Walls and Town Accountant Wendy Graves.

7:00 p.m. – Administrator Balukonis called the meeting to order in Sanford Hall of Town Hall.

Frank Biron, from Melanson and Heath commented that this was the first year the audit was in compliance with GASB 34. Mr. Biron noted that the Town is required to track its fixed assets as of July 1, 2003.

Mr. Biron stated that the audit report provides a “clean opinion” in that the Independent Auditors’ Report contains no exceptions in fiscal 2003.

Mr. Biron indicated that the balances shown in the financial statements are good overall. He rates them in the top thirty to forty percent (30-40%) of all Massachusetts cities and towns. The numbers look good, especially the “unrestricted net assets” amount at \$3,502,343. Some towns have negative unrestricted net assets.

Mr. Biron pointed out that the property tax number is also good. The Town collected approximately \$300,000 in prior year property tax bills. The Town ended fiscal 2003 with a \$276,260 budget balance. The Town’s fund balance surplus is tight; the variance of \$276,260 is small compared to other towns. Mr. Biron suggested that the Town project its revenues more conservatively, which could result in a larger budget surplus.

Mr. Biron noted that the Water Department has a substantial unrestricted balance of \$1,257,303 and recommended town staff review indirect costs to see if there is opportunity for increases. The Water Department had a \$65,000 surplus and the ambulance fund had a \$50,000 surplus.

Mr. Biron next addressed the Management Letter. He stated there were three reportable conditions, which are more serious than the standard audit findings. All of the issues contained in the prior year audit were carried forward into the new fiscal year. The first reportable condition is the establishment of a general ledger reconciliation procedure. He attributes this to turnover in the accountant’s position and computer software bugs. Starting in fiscal 2004, the auditors are required to conduct fraud investigations required by SAS99. Mr. Biron agreed to provide copies of the fraud policy to Administrator Balukonis. The second reportable condition in fiscal 2004 was the reconciliation of cash balances. The auditors noted the Treasurer should be on top of monthly reconciliation. The third reportable condition is to limit access to the computer software. It was noted that this condition could be deleted after Mr. Biron contacts the computer consultant. Treasurer Walls claims that she does not have access to the general ledger or passwords.

Mr. Biron stated that financial software exists for keeping track of high school expenses and was developed by SBAB.

MINUTES OF THE AUDIT COMMITTEE MEETING  
JULY 29, 2004

The Audit Committee recommended that the Town provide a written response to the Management Report findings. George Hale requests the comments address a priority order and timeframe for completing the tasks. It was agreed that the Town would provide a written response within one month, or no later than August 30, 2004.

Administrator Balukonis recommended approval of the Audit engagement letter for fiscal 2004. He feels the auditors went above the call of duty in assisting the Town in fiscal 2003.

Mrs. Connolly moved that the audit committee vote to approve the audit engagement letter with Melanson and Health for the amount of \$28,500.00; All ayes 3-0-0 (voted).

*8:25 p.m. There being no further business to discuss, the Audit Committee meeting was adjourned.*

Respectfully submitted,

Greg Balukonis,  
Town Administrator

*NOTE: APPROVED BY AUDIT COMMITTEE ON*

# MINUTES OF THE SELECTMEN'S MEETING

August 16, 2004

Present: Selectmen John Williams, Raphaela Rozanski, and James Galligan, and Town Administrator, Greg Balukonis. Selectmen Joseph Dziczek, Kent Scott and Administrative Services Assistant, Celeste Hanson were not present.

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

1. **Public Comments:** There were no public comments.

2. **Approve and sign warrant:**

- Selectman Rozanski moved that the Board approve and sign warrants for fiscal year '05 as read in the total amount of \$875,979.44; All ayes 3-0-0 (voted).

7:05 p.m. *There being no further other regular business to discuss, Selectman Rozanski moved that the Selectmen adjourn to Executive Session and not to return to public session for Reason Three "To discuss strategy with respect to collective bargaining";* Roll call vote: Selectman Galligan—aye; Selectman Rozanski—aye; Vice Chairman Williams—aye (All ayes 3-0-0) voted.

Respectfully submitted,

Greg L. Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*



## MINUTES OF THE SELECTMEN'S MEETING

October 25, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, James Galligan, and Kent Scott, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was not present.

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

### **1. *Public Comments:***

- Mr. Robert Dubovsky was present and inquired about whether the Town was interested in conducting an independent evaluation of roofs. Mr. Dubovsky asked if the Board of Selectmen is committed to perform an evaluation in the next three to five years. He then provided the Board with photographs of the schools that further document his concerns over the lack of general maintenance. Most of the photographs were of the Burke/Memorial School. He would like to know who is looking out for the interests of the school children who may be injured. Mr. Dubovsky was made aware of a vacancy on the Municipal Building Committee and he indicated his interest to volunteer to serve on the Municipal Building Committee. The Board asked that the photographs taken by Mr. Dubovsky be forwarded to school officials.

### **2. *Firefighter/EMT Oath of Office:***

- Fire Chief Vinton, Town Clerk Mary Jane White and Matthew Anzivino were present. The Town Clerk administered the oath of office to the newly appointed Firefighter/EMT, Matthew Anzivino.

### **3. *Approve and sign warrant:***

- It was moved and seconded moved that the Board approve and sign warrants for fiscal year '05 as read by Selectman Rozanski in the total amount of \$1,174,265.75 All ayes 5-0-0 (voted).

### **5. *Report of the Town Administrator:***

- Administrator Balukonis presented Chapter 90 Authorization forms for Chapter 291 funds in the amount of \$228,291.00 which requires Board approval in order for the Chairman to execute. It was moved and voted to authorize Chairman Dziczek to execute the Chapter 90 documents (5-0-0).
- Administrator Balukonis reported that the Town received of four proposals to provide the necessary real estate appraisal services relative to the Route 126 reconstruction project. (Seventeen permanent drain easements and six land acquisitions) Three proposals provide a reasonable fee between nine thousand nine hundred (\$9,900.00) to fourteen thousand two hundred fifty (\$14,250.00) dollars. A

## MINUTES OF THE SELECTMEN'S MEETING

October 25, 2004

complete review will be performed and an award bid to the firm best meeting the town needs will be prepared shortly.

- Administrator Balukonis presented regulations for body art establishments submitted by the Board of Health requesting Town Counsel's review. It was agreed to forward such to Town Counsel.
- Administrator Balukonis reported that a home inspection of 2B Oak Street was scheduled for Tuesday, October 26 and that a video record survey would also be scheduled within the next couple of weeks. The cost of the survey is approximately three hundred fifty (\$350.00) dollars. Administrator Balukonis also reported that correspondence from Attorney John Maciolek was received which indicated that Mr. and Mrs. Narducci are presently securing estimates for personal property removal and that copies of the estimates would be forwarded to the Town. Mr. Maciolek's letter also requests a written notification from the Town which will be forwarded to Town Counsel. Selectman Scott mentioned that further discussions may be an appropriate subject for discussion in Executive Session.
- Lastly, Administrator Balukonis, reported that the Clafco versus Town of Medway suit was referred to the Federal Mediation Program. The Town will continue to be represented by Attorney Leonard Kesten. The first mediation session is scheduled for this week between the Planning Board and Attorney Kesten.

### ***6. Fiscal 2005 Tax Classification Public Hearing:***

- Harry Johnson, Chairman, Board of Assessors and Britt Hall, Administrative Assessor/Appraiser were present. Selectman Rozanski read the public hearing notice.
- Assessor Hall explained the legal requirements for holding a hearing in advance of setting the tax rate. Assessor Hall stated the percent distribution between residential, commercial, industrial and personal classifications is almost unchanged from fiscal 2004. The maximum shift provides taxing CIP property at 175% of the single rate. The resulting saving to residential property is 9.73% of the single tax rate. Assessor Hall stated that cities and town typically do not utilize a split tax rate until the C.I.P. reaches 20%. Assessor Hall indicated that the town of Medway is currently at 11.6%.
- The question before the Board of Selectmen is whether they want to shift and establish two different tax rates.
- Chairman Johnson stated that the Board of Assessors does not know the FY 2005 tax rate at this point. The Board of Selectmen will be asked to acknowledge excess levy capacity once the Tax Rate Recap Sheet is final. The only question before the BOS is whether to have a single or dual tax rate. Chairman Johnson mentioned a second public hearing may be required before setting the tax rate.

## MINUTES OF THE SELECTMEN'S MEETING

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- Selectman Rozanski moved that the Town continue with a tax classification factor of one (1); so voted (5-0-0)

### ***7. Mark Cerel, Community Preservation Committee Chairman—Island Property***

- Chairman Dziczek explained that Chairman Cerel was invited to address future plan for the Island property. Chairman Cerel stated the land is unbuildable in his opinion and sees the property being useful as open space only. Chairman Cerel stated that the Community Preservation Committee offered the assessed value on the property only and that there was an additional sum in consideration of clearing the title making the total purchase price sixteen thousand nine hundred (\$16,900) dollars.
- Mrs. Nancy Mandino, 24 Temple Street stated if her family acquired the property it could be available for public access. Mrs. Mandino raised a number of issues previously addressed at last week's Board of Selectmen meeting.
- Mrs. Nancy Mosher, 4 John Street asked about how they public would access the Island property, and if there was adequate parking? Mrs. Mosher does believe there is currently public access to the Island.
- Chairman Dziczek stated parking is not an issue, and if it become one in the future, the Town would address it.
- Mrs. Mandino handed out a letter dated October 25 from Attorney John Powers. Attorney Powers reaffirmed his interest in acquiring the property, and offering the Town public access.
- Selectmen Rozanski and Galligan both indicated that Attorney Powers had Selectmen permission to contact Town Counsel.. Attorney Powers apparently was unable to contact Town Counsel to discuss the creation of an easement for public access. This comment was disputed by Chairman Dziczek who stated permission had not been granted for Attorney Powers to contact Town Counsel.
- Mr. Robert Dubovsky spoke in favor of acquiring the property.
- Chairman Dziczek moved that the Town acquire the Island property. Motion withdrawn as a result of additional discussion by the Board of Selectmen.
- Administrator Balukonis pointed out that the Board of Selectmen voted to acquire the Island property on June 21, 2004, subject to outstanding title issues being cleared. Administrator Balukonis noted the other issues raised since then were not considered by the Board of Selectmen at the time of the June 21, 2004. Further, many of the questions raised by residents should have been presented before the June 21, 2004, vote.

## MINUTES OF THE SELECTMEN'S MEETING

October 25, 2004

- Selectman Rozanski questioned whether there was a written extension beyond August 1, 2004, and an additional purchase and sale agreement. Administrator Balukonis presented a written agreement signed by Mrs. Dzurdz expressing a willingness to sell to the Town of Medway. This agreement spells out the terms for acquiring the property. A resident questioned about access again and the Town's desire to take private property for access if such access does not presently exist. Chairman Dziczek responded that he could not answer the questions since Town meeting decides the issue and would need to vote on the same.
- Chairman Cerel commented that the issue of real estate law is complicated, and that based on the June 21, 2004, vote he sees no reason why the transaction couldn't be completed tomorrow or prior to November 1, 2004.
- Selectman Rozanski moved the residents be granted permission to negotiate with Town Counsel on the terms of an access agreement to the Island property. Chairman Cerel suggested access be provided to the river and land for passive recreational use and to present to the Board of Selectmen by the close of business on October 29, 2004. (Original motion passed 5-0-0)
- It was agreed the Board of Selectmen would review Town Counsel's recommendation at a Special Meeting scheduled on Thursday, October 28<sup>th</sup> at 7:00 p.m. in Sanford Hall.

### **8. Executive Advertising—Solicitors Permit**

- Selectman Williams moved to grant a solicitors permit for three weeks commencing on October 27 between the hours of 11:00 a.m. and 7:30 p.m. So voted 5-0-0.

### **9. Approval of Election Warrant**

- The Selectmen approved the election ballot for November 2, 2004, as revised by the Town Clerk.

### **10. Extension of Work Hours**

- Selectman Rozanski moved to approve an extension of work hours submitted by Charter Realty for Monday, November 1, 2004. So voted (5-0-0).

### **11. Christmas Tree Sale**

- Selectman Rozanski moved to allow permission of the American Legion to sell Christmas Trees from November 22, 2004 to December 23, 2004. (So voted 5-0-0).

### **12. Adaptive Use Special Permit**

## MINUTES OF THE SELECTMEN'S MEETING

October 25, 2004

- The Board of Selectmen acknowledged receipt of an Adaptive Use Special Permit submitted by the Planning Board. (no action was required to be taken by the Board of Selectmen).

### **13. Reports of the Selectmen:**

- Selectman Scott reported on a recent meeting with the Trust for Public Land. He provided information to the Town Administrator for future use. Selectman Scott indicated that the general contractor was working on the completion of the High School punch list items. Completion of outstanding punch list items is taking longer than expected.
- Selectman Galligan reported that he spoke with the individual looking to travel across town property to engage in duck hunting. He is still looking into the same issue to allow this individual permission to duck hunt. Chairman Dziczek expressed reservation about the Town granting any such permission.
- Selectman Rozanski indicated that she spoke with the Lion's Club about a possible date to issue a proclamation. Selectman Rozanski noted that the School Committee has agreed to honor Richard Coakley, however, the details still need to be worked out. Selectman Rozanski and Selectman Scott reiterated concerns with the sandwich board signs located on Main Street. Selectman Rozanski inquired about the drainage grates associated with the Charter Realty Project and will address her comments to Karen Johnson at the next Selectmen's meeting.
- Selectman Williams and Chairman Dziczek both acknowledged October 25<sup>th</sup> for being the date of Medway's incorporation as a Town.

*9:34 p.m. There being no further business to discuss it was moved and seconded 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

November 1, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, James Galligan, and Kent Scott, and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson was not present.

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

### **1. *Public Comments:***

- Mrs. Nancy Mandino asked if the Island Property is on the agenda. Chairman Dziczek stated that it was scheduled later in the night.

### **2. *Approve and sign warrant:***

- It was moved and seconded that the Board approve and sign warrants for fiscal year '05 as read by Selectman Rozanski in the total amount of \$1,136,404.17. (Warrant #18). All ayes 5-0-0 (voted).
- Selectman Galligan asked about the new High School bills.
- Selectman Rozanski would like a status report on the amount due to Eastern Contractors under the settlement agreement.

### **3. *Report of the Town Administrator:***

- Administrator Balukonis reported on sub-contractor demand claims for the new High School project. He stated that three claims, totaling \$318,113.00 were submitted. All claims will be considered by the MBC at their November 10 meeting. Administrator Balukonis stated that he expects to attend the meeting and present information to the MBC.

### **4. *Reports of the Selectmen:***

- Selectman Scott reported on a meeting today in Boston with Ranch Kimball. The purpose of the meeting was to discuss possible funding options for extension of sewerage to the West Medway Industrial Park. Those attending included Selectman Rozanski, Administrator Balukonis, Glenn Trindade, Bill Wright, and Gino Carlucci. Both Selectman Scott and Selectman Rozanski felt there was a positive outcome to the meeting. Selectman Rozanski noted the primary subject related to efforts to keep Cybex in Medway.
- Selectman Williams reported that retired Police Officer Sal Spataro passed away. Selectman Williams listed his accomplishment in starting the ambulance and EMS Service in Medway.
- Chairman Dziczek announced new hours for the Recycling Center with the start of Daylight Savings Time. The specifications will be posted soon by the Board of Health.

## MINUTES OF THE SELECTMEN'S MEETING

November 1, 2004

- He also reported on the status of the flu vaccines. The Board of Health has no flu vaccine available for Medway residents.

### **5. *Robin Borstein - McDonalds:***

- Robin Borstein was present. The proposed business hours are 6 a.m. – 12 a.m. She expects to open sometime between November 12 and November 18.
- Selectman Williams moved to grant a Common Victualler license to Medway Mirob d/b/a McDonald's. All ayes 5-0-0 (voted).
- Selectman Williams moved to grant an Automatic Amusement license to Medway Mirob d/b/a McDonald's. All ayes 5-0-0 (voted).

### **6. *Blockbuster Video Sign Permit Appeal:***

- The Board of Selectmen acknowledged a recommendation by the Design Review Committee. The appeal concerns a second 32 foot sign on the westerly side of the building. The Board of Selectmen took no action on the sign appeal request.

### **7. *Town Administrator Report:***

- Administrator Balukonis reported on the Town Hall window replacement project that is scheduled to begin this week. He expects work to be completed within two weeks.
- Administrator Balukonis reported the 2005 business license renewal process is underway. The deadline for picking up licenses is December 15. He feels everything is on schedule. The Board of Selectmen does not need to conduct a Sunday Package Store Opening hearing this year. Selectman Dziczek inquired about notifying businesses about ADA and AAB access requirements.

### **8. *Karen Johnson – Deed Easements and Bond Reduction for Charter Realty:***

- Karen Johnson presented easement deeds allowing for traffic flow entering/exiting Medway Commons.
- Selectman Galligan offered suggestions concerning the easement descriptions.
- Administrator Balukonis asked if the as-built drawings need to be updated to reflect any changes on the easement. Karen Johnson stated the as-builts show what was constructed in one field, and they are complete.
- Karen Johnson questioned if the bonds can be released for on-site improvements. The bonds total \$500,000.00 as previously approved by the Board of Selectmen.

## MINUTES OF THE SELECTMEN'S MEETING

November 1, 2004

- The Board of Selectmen inquired about "Stop signs" on the site. Chairman Dziczek feels more stop signs may need to be added on the site. Karen Johnson responded several signs are being installed, and in other locations drivers should use common sense.
- Selectman Rozanski moved to release the Charter Realty Bond in the amount of \$500,000.00. All ayes 5-0-0 (voted).
- Selectman Scott inquired about joint signage for retail tenants. Karen Johnson stated that she is coordinating the installation of projecting signs on the rear entrances of Building D. Selectman Scott was satisfied there is a coordinated approach that is being addressed by Charter Realty and business tenants.
- Selectman Rozanski questioned about grates for storm drains. Karen Johnson feels the drains are installed per the plan and persons should be using sidewalks on the site. Chairman Dziczek feels that persons in wheelchairs could get stuck in the drain grates. Karen Johnson noted that the grates are compliant with ADA. She noted that similar grates are installed in other retail centers and Medway is the only town with complaints.

### **9. Other Business:**

- Selectman Rozanski announced SWAP is holding its annual legislative breakfast on November 18 here at the Town Hall.
- Selectman Rozanski commented that MAPC is holding its meeting in Boston on November 19. The subject of the MAPC meeting may be of interest to the Board of Selectmen.

### **10. Consideration of Island Property, 12R River Road:**

- Chairman Dziczek stated there was a request to introduce this matter again at tonight's meeting. Chairman Dziczek clarified that the property deed was to be filed at the Registry of Deeds on Friday. He stated that in fact, the deed had not been filed as of November 1, 2004.
- Selectman Rozanski spoke to the subject of private ownership. She noted documents had been drafted by Town Counsel that provide for private ownership, yet allowing for public access. Selectman Rozanski indicated the owner prefers the property remain in private ownership, versus being sold to the Town.
- The Board of Selectmen members offered their opinions on the subject. Chairman Dziczek feels the owner may have been lobbied and misinformation presented to Mrs. Dzuirdz about the Town's intentions. He mentioned there were rumors about the town constructing affordable housing and these are false.



## MINUTES OF THE SELECTMEN'S MEETING

November 1, 2004

- Selectman Scott indicated his support in purchasing the property now. He does not support parties other than the Town owning the land.
- Selectman Williams suggested the agreement proposed by Attorney Powers seems very workable. He stated when Town Meeting voted, none of the issues addressed in the past two weeks were known.
- Nancy Mendino offered to have Attorney Powers conduct a conference call with the Board of Selectmen. The Board of Selectmen indicated they would permit Attorney Powers to speak briefly.
- Ed Reardon spoke in favor of the Town purchasing the property. He noted Mrs. Dzuirdz is interested in seeing the property remain in its present state.
- Nancy Mendino continued to speak in favor of her proposal to purchase the Island Property.
- Andrew Parchesky, 8 John Street, wants to know why the Town wants to take private property off the tax rolls. He sees no reason why Medway should be interested.
- Attorney Powers, on the telephone, reviewed that the efforts to secure the property include: 1.) a conservation restriction in perpetuity; 2.) a public access easement. He reviewed both of these documents with Attorney Maciolek.
- Chairman Dzikczek expressed his opinion and commented on the terms of the conservation restriction and public access easement.
- Selectman Rozanski moved to rescind the Board of Selectmen vote to purchase the Island Property taken on June 21, 2004.
- Attorney Maciolek addressed the Board. He does not believe anyone can build on the property or within 200 feet of the River. The question of a building is a non-issue. Attorney Maciolek has seen plans showing the land is as large as 7.3 acres. He has reviewed the agreement and believes Mrs. Dzuirdz has a legal obligation to sell the property to the town. He feels the restrictive covenant is sufficient in placing in the Town's hands the decision of what happens to the property in the future.
- There were continued questions and statements which were not relevant to the motion under consideration.
- It was voted (3-2) to rescind the Board of Selectmen decision of 6/21/04 to purchase the Island Property.
- Selectman Rozanski moved to decline the purchase of Mrs. Dzuirdz's property based on the owner's wishes in her October 27, 2004 letter. Voted (4-1).

## MINUTES OF THE SELECTMEN'S MEETING

November 1, 2004

- Selectman Rozanski moved to accept the deed of easement and covenant as presented. Voted (5-0-0).
- Selectman Galligan proposes the deed of easement be changed to include expanded language under the definition of passive recreational activities. Amendment voted (5-0-0).

### ***11. Executive Session:***

- It was moved and voted to enter into executive session at 9:25 p.m. for reason number three, the purpose of collective bargaining strategy, not to return to open session thereafter. Roll call vote: Selectman Galligan – aye, Selectman Rozanski – aye, Selectman Williams – aye, Chairman Dziczek – abstain, Selectman Scott – abstain.

Selectman Scott and Chairman Dziczek left the meeting at 9:25 p.m.

Respectfully submitted,  
Greg L. Balukonis  
Town Administrator

***NOTE: APPROVED BY BOS ON***

## MINUTES OF THE SELECTMEN'S MEETING

November 8, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, and James Galligan; Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson were all present. Selectman Kent Scott arrived at 7:25 p.m. due to a CPC (Community Preservation Committee) meeting.

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

1. ***Public Comments:*** No public comments this week.

2. ***Approve and sign warrant:***

- Selectman Rozanski moved that the Board approve and sign warrant number nineteen (19) for fiscal year '05 as read in the total amount of \$545,802.04 Selectman Galligan seconded; All ayes 4-0-0 (voted).

3. ***Approval of Minutes:***

- Selectman Williams moved to approve regular meeting minutes of October 25, 2004, as amended, Selectman Rozanski seconded; All ayes 4-0-0 (voted).

4. ***Report of the Town Administrator:***

- Administrator Balukonis, stated that he was in receipt of two voter certifications submitted by the Town Clerk that require Selectman certification relative to the election on November 2, 2004, for County Commissioner and Register of Deeds. Selectman Rozanski read the County Commissioner certification and votes for each candidate (John M Gillis 3,041 votes and Frances O'Brien 3,116 votes) and moved that the Selectmen certify such as attested by the Town Clerk; seconded by Selectman Williams; All ayes 4-0-0 (voted). Selectman Rozanski read the Register of Deeds certification and votes for the candidate, William P. O'Donnell (4,590) and moved that the Selectmen certify such as attested by the Town Clerk; seconded by Selectman Williams; All ayes 4-0-0 (voted).
- Administrator Balukonis reported that he completed his review of the RFP's submitted for Appraisal Services relative to the Route 126 Reconstruction Project and awarded the RFP to McLaughlin Appraisal Services.
- Administrator Balukonis updated the Board relative to the status of the Treasurer/Collector position. Administrator Balukonis stated that fourteen applications were submitted and five applicants have been selected for interviews. Administrator Balukonis explained that after the first round of interviews have been completed, the Interview Team will select three out of the five applicants for the final interview process. Administrator Balukonis hopes to announce the final candidate during the first week of December. Administrator Balukonis stated that the Interim Treasurer/Collector, Majorie Sanford, has committed to servicing the Town until December 31, 2004.

## MINUTES OF THE SELECTMEN'S MEETING

November 8, 2004

- Administrator Balukonis informed the Selectmen that he received legal documents from Attorney Stephen Kinney relative to the Island Property and would like to include such in the Selectmen's next meeting package after proper review has been completed.
- Administrator Balukonis reminded the Selectmen that he would be attending the upcoming Town Administrator Breakfast Meeting scheduled for November 17, from 9:00 to 10:30 a.m. at Tri-County Regional Vocational Technical High School in Franklin. The main topic of discussion will be School Business Assistance and guest speaker will be Timothy Brooks who will be discussing changes to SBA, public construction reform and its impact on school building projects.
- Lastly, Administrator Balukonis, reported his withdrawal of candidacy for the Ashland Town Administrator position and looks forward to continuing his employment with the Town of Medway.

### 5. Discussion concerning land adjacent to 187-191 Village Street:

- Mr. James Reardon came forward indicating that he was present and representing his family relative to the land matter being discussed this evening.
- Chairman Dziczek provided the Selectmen with a plot plan and provided background history of events and stated that he invited members from Boards/Commissions that were available and interested in the matter to attend and participate in the discussion (Chairman Dziczek noted members from Planning Board, Community Preservation Committee and Open Space Committee).
- Vice Chairman Williams asked who requested that the matter be placed on the Selectmen's Agenda. Chairman Dziczek indicated that he instructed the Administrative Services Assistant to place the matter on the agenda. Vice Chairman Williams asked what the Chairman planned to accomplish this evening. Chairman Dziczek responded that he wished to discuss the matter and perhaps come to a potential resolution that would be beneficial to the Town and the Reardons.
- Selectman Rozanski inquired about the lot size. Mr. Reardon indicated that the lot size was 1.23 acres. Selectman Rozanski also inquired about the easement. Attorney Mark Cerel (Chairman of the CPC) gave a brief explanation of what easements are and how they work. There was a brief discussion among the Boards.
- Open Space Committee representative asked how Mr. Reardon could begin work on the property at this point if issues were unresolved. Chairman Dziczek indicated that the Building Inspector approved the permit because the applicant met the current requirements.

## MINUTES OF THE SELECTMEN'S MEETING

November 8, 2004

- Chairman Daniel Hooper of the Planning Board suggested that as the Town commences negotiations relative to the property that consideration be given to the fact that the Town owns a portion of the property that the house is on as well as the property needed for parking to support said structure and that the Town get the proper value due as the property is valuable to the overlook of the Charles River. (It was noted that Chairman Hooper made a good point).
- Chairman Dziczek asked Mr. Reardon how much time he needed to discuss the matter with other family members. Mr. Reardon indicated that he would present what was discussed this evening but would like the Selectmen to prepare a plan and perhaps an easement he could discuss with his family.
- Selectman Galligan asked what time frame worked for Mr. Reardon. Mr. Reardon indicated that one month would be favorable.
- Chairman Dziczek asked the Town Administrator if he could prepare an easement for the parties to review. Administrator Balukonis indicated that he would prepare something for review.

### **6. Chapter 90 Project Request forms for authorization:**

- Selectman Rozanski moved that the Selectmen approve the Chapter 90 Project Request for Road Building Equipment for truck lease purchase of a 2005 heavy duty dump truck for \$21,044.00 submitted by the Department of Public Services; seconded by Selectman Galligan; All ayes 5-0-0 (voted).
- Selectman Rozanski moved that the Selectmen approve the Chapter 90 Project Request for Reconstruction of Cottage Street for the estimated costs of \$170,000; seconded by Selectman Galligan; All ayes 5-0-0 (voted).

### **7. Reports of the Selectmen**

- Selectman Scott referred to the Planning Board's correspondence to Mr. Jonathan Bruce (Ariel Development Corporation) dated November 5, 2004, regarding the Forest Edge/Field Road subdivision for the Selectmen to be familiar with. Selectman Scott indicated that he would continue to update the Selectmen as warranted.
- Selectman Galligan reported that the Ad-Hoc Committee is next scheduled to meet on November 30, and would update the Selectmen as warranted. Selectman Galligan stated his opinion that the Ad-Hoc Committee is coming up with some very good ideas to consolidate services. Selectman Galligan also mentioned the correspondence copied to the Selectmen relative to the Island Property. Chairman Dziczek provided background information relating to the matter for the benefit of the newly-elected Selectmen.
- Selectman Rozanski and Selectman Williams did not have reports this week.

MINUTES OF THE SELECTMEN'S MEETING

November 8, 2004

8. **Report of the Chairman.**

- Chairman Dziczek referred to the Planning Board's memorandum dated November 5, 2004, regarding submission of several warrant articles for the Special and Annual Town Meeting and the memorandum regarding the Sign Bylaw Enforcement. Chairman Dziczek would like to investigate the sign violations and try to develop a resolution to remove the signs in question.

*8:40 p.m. There being no further business to discuss, Selectman Williams moved that the meeting be adjourned; Selectman Rozanski 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  
NOVEMBER 15, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, and Kent Scott; Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman James Galligan arrived late (7:10 p.m.)

7:01 p.m. – Chairman Dziczek called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

1. ***Public Comments:*** There were no public comments.

2. ***Approve and sign warrant:***

- Selectman Rozanski moved that the Board approve and sign warrant number twenty (20) for fiscal year '05 as read in the total amount of \$862,382.21; Chairman Dziczek seconded; all ayes 4-0-0 (voted).

3. ***Report of the Town Administrator:***

- Administrator Balukonis, presented a Lessee Resolution for Selectmen's approval on behalf of the Department of Public Services as previously explained by Director D'Amico for the three year truck lease. Selectman Rozanski moved that the Selectmen authorize the Town Administrator to execute the lease documents on behalf of the Town; seconded by Selectman Scott; all ayes 4-0-0 (voted).
- Administrator Balukonis announced that the fiscal 2006 budget forms and instructions were distributed to all departments on November 12, with a due date of December 13, 2004.
- Administrator Balukonis stated that McDonald's submitted the "As-Built" plans for Selectmen's acknowledgement, no other action is required by the Selectmen at the present time.
- The last item reported by Administrator Balukonis was the payment status report regarding Eastern Contractors as outlined in his memorandum to the Selectmen dated November 10, 2004. Administrator Balukonis anticipates that a payment requisition will be submitted to the Selectmen at their next meeting.

6. ***Reports of the Selectmen***

- Selectman Scott did not have a report.
- Selectman Galligan did not have a report.
- Selectman Rozanski reported that an Eagle Scout Court of Honor for Shawn Lindsey will be celebrated on Sunday, November 8 from 3:00 to 6:00 pm at the St. Joseph's Parish Center and asked that all the Selectmen sign the Proclamation she prepared. Selectman Rozanski also reported that Medway would be hosting the SWAP breakfast on Thursday from 8:30 to 10:30 a.m. in Sanford Hall and thanked

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 15, 2004

the Administrative Services Assistance for her help. Lastly, Selectman Rozanski stated that the Medway Lions would be attending the Selectmen's meeting of December 9<sup>th</sup> and she would be preparing a Proclamation for the Board members to sign and present to the Lions at the meeting.

- Selectman Williams acknowledged and read correspondence forward to the Selectmen by resident Mr. Timothy Choate praising the Medway Fire Department.

**7. *Report of the Chairman.***

- Chairman Dziczek reminded the Board members that the Treasurer/Collector interviews would be commencing and to forward any comments to his attention. Also, Chairman Dziczek praised the Medway Fire Department and actions of the emergency personnel after witnessing the recent accident on the corner of Village and Oakland Streets.

*7:20 p.m. There being no further business to discuss, Selectman Rozanski moved that the Selectmen's regular meeting be adjourned and enter into Executive Session for reason number three "For the purposes of collective bargaining strategy" not to return to public session; Vice Chairman Williams seconded; Roll call vote: Selectman Scott—aye, Selectman Galligan—aye, Selectman Rozanski—aye, Vice Chairman Williams—aye and Chairman Dziczek—aye All ayes 5-0-0 (voted).*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

*NOTE: APPROVED BY BOS ON*



BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES OF  
NOVEMBER 29, 2004

Present: Selectmen Joseph Dziczek, John Williams, Kent Scott, and James Galligan; Town Administrator Greg Balukonis and Administrative Services Assistant Celeste Hanson were all present. Selectman Raphaela Rozanski was late (7:10 p.m.).

At 7:05 p.m. Chairman Dziczek called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

**Public Comments:**

- Mr. Salvatore LaRiccia of 15 Waterview Drive was present and asked to approach the Board to discuss the status of the Town employee health insurance contribution rate issue. Mr. LaRiccia stated that approximately six months had passed since the Selectmen indicated that they would review the employee health insurance contribution rates and he would like an update. Mr. LaRiccia indicated that the Town's current employee health insurance rate contribution is not legal per information he investigated via Massachusetts General Laws and feels that the Medway Taxpayers are being wronged. Selectman Williams indicated that the Selectmen Galligan, Rozanski and himself are involved with the discussions and that Selectmen Scott and Chairman Dziczek are abstained from the discussion as their spouses are employed by the Town and that the Selectmen did nothing illegal as the Selectmen were not fully aware of all the legalities and need to seek the advise of outside counsel before moving forward. Selectman Williams strongly indicated that there has been no intentional wrong doing or overcharging to the Medway taxpayers, nothing was done with malice and the Selectmen are still working towards resolving the issue, however, the issue is not quite as clear as one may think. Mr. LaRiccia inquired as to how long the discussions would continue before reaching a resolution. Selectman Williams indicated that he had hoped to get the matter resolved within a month, but was unsure exactly how long it would take. Selectman Williams indicated that the Town can not force the employees to reimburse for the past health insurance contribution rates and that it was wrong to suggest that the employees pay back for an innocent oversight by the Town and that he would not discuss the reimbursement matter any further. Administrator Balukonis stated that the Town had a legal opinion of Town Counsel that indicated that the Town did nothing wrong or illegal and that the issue was discussed and voted in public sessions.

**IDC West Medway Industrial Park Sewer Extension Project Update:**

- IDC Chairman, William (Bill) Wright and Member, Glenn Trindade were present to represent the status on the project and to answer questions the Board may have regarding the issue. Chairman Wright provided the Board with a written report for their review and brought the Selectmen up to date regarding how the project was moving along. Chairman Wright also indicated that there were presently three options the Town may want to consider which was outlined the report. There was a brief discussion and Selectman Rozanski moved to approve that the Selectmen support the efforts of the IDC to act on Option 3 and secure the \$1.5 million to complete this project through the DIF program and apply the CDAG grant and the Ready Resource grant in order to complete the project; Selectman Williams seconded; All aye 5-0-0 (voted).

BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES OF  
NOVEMBER 29, 2004

**Board of Assessors—Presentation of FY 2005 Tax Rate and Excess Levy Capacity:**

- Chairman Harry Johnson and Administrative Assessor Britt Hall were present to discuss the Fiscal Year 2005 Tax Rate and Excess Levy Capacity. Chairman Johnson stated that the Board of Assessors can not set the Fiscal Year 2005 Tax Rate and Excess Levy Capacity and requested that the Selectmen set a date for a Special Town Meeting in order to settle the Town's finances.
- Administrator Balukonis explained that he and the financial departments (Town Accountant and the Assessors) and the representatives from the State have had regular meetings and presented the Selectmen with a handout relative to the fiscal year 2005 budget and explained the tax rate setting process. Administrator Balukonis suggested that the Board of Health's Solid Waste Budget be cut to aide in the financial deficit. Chairman Johnson supported the Administrator's suggestion and praised the efforts of the financial departments and Administrator Balukonis in trying to reach a solution.
- Selectman Rozanski moved to set a Special Town meeting date of December 20, 2004, at 7:00 p.m. in the auditorium at the Medway Middle School; Selectman Williams seconded; All ayes 5-0-0 (voted).
- Selectman Rozanski also recommended that the Special Town Meeting articles be kept to address the most important issues and to save general articles for another town meeting (either the Annual or next Special Town Meeting).

**Conservation Commission's request for Town Counsel's Services:**

- Administrator Balukonis directed the Selectmen to the e-mail request of Chairman Travalini asking for the Selectmen's approval to seek Town Counsel's services; Selectman Williams moved that the Conservation Commission be given permission to seek Town Counsel's services; Selectman Scott seconded; All ayes 5-0-0 (voted).

**Other Board Business:**

- Mr. Paul DeSimmone arrived at the Selectmen's meeting late and asked permission to approach the Board with an issue that had been brought to his attention. Chairman Dziczek asked the Board members if they were willing to accommodate Mr. DeSimmone's request and all nodded their approval to allow Mr. DeSimmone to present the issue. Mr. DeSimmone came forward and stated that an individual approached him regarding the Planning Board's fee schedule and he believes, based on the information he was given, that there may be an error and would like the Planning Board to look into the matter further. Mr. DeSimmone indicated that he would also like to see a more timely turnaround of the consultant in order to reduce some the site plan fees being charged to applicants. Selectman Scott indicated that he would contact the Planning Board for their comments and would report back as warranted.

BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES OF  
NOVEMBER 29, 2004

**Approval of Warrants:**

- Selectman Rozanski moved that the Board approve warrant G22 for the total amount of \$894,626.18 as read; Selectman Galligan seconded; All ayes 5-0-0 (voted).

**Approval of Minutes:**

- Selectman Williams moved to approve the Selectmen's regular session minutes of November 1, 2004; Selectman Rozanski seconded; all ayes 5-0-0 (voted).
- Selectman Williams moved to approve and release the Selectmen's Executive Session Minutes of November 1, 2004; Selectman Galligan seconded; ayes 3, Selectman Scott and Chairman Dzikczek abstained (3-0-2) voted.

**Report of the Town Administrator:**

- Administrator Balukonis reported that the Treasurer/Collector interview team has concluded interviews of the five candidates and have narrowed down the choices and will begin the second round of interviews soon with hopes of making a decision by December 20, 2004. Administrator Balukonis also reported that Interim Treasurer/Collector Marjorie Sanford will stay on until the end of December.
- Administrator Balukonis informed the Board that the Affordable Housing Committee has requested that the Committee and the Selectmen schedule a date to appoint a replacement for Mr. Richard Coakley; Chairman Dzikczek directed the staff to schedule the matter on the December 6<sup>th</sup> Selectmen's agenda.

**Consideration of 12 Rear River Street Property Deed of Easement/Restrictive Covenants:**

- Administrator Balukonis presented the property deed of easement and restrictive covenants submitted for Board's review and consideration. After a brief discussion, Chairman Dzikczek directed the staff to forward the documents for Town Counsel's review.

**Review of Police reports and follow-up action concerning liquor license violations:**

- Administrator Balukonis reported that the Police Department recently conducted a sting operation and discussed the matter with Town Counsel who agrees that the Town should forward violation notices and the narratives to each of the license violators in order to assist with the public hearing process. Administrator Balukonis indicated that draft notices would be prepared for Town Counsel's review and copies would be provided for the Selectmen's review as well.

BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES OF  
NOVEMBER 29, 2004

**Review of Design Review Committee's Recommendation relative to Starbuck's Sign Permit:**

- Administrator Balukonis directed the Board to the Design Review Committee's (DRC) recommendation relative to the Starbuck's sign permit denial application. Selectman Williams moved to approve the DRC's recommendation; Selectman Rozanski seconded. After a brief discussion, Selectman Williams withdrew his motion. It was suggested that Charter Realty meet with the Planning Board/DRC in order to come up with a universal sign policy relative to the Medway Commons Shopping Plaza project.

**Reports of the Selectmen:**

- Selectman Williams did not have a report this week.
- Selectman Rozanski read a letter of praise forward to the Selectmen by Cecile and Harriet Pride regarding the expertise of the Fire Department relative to the recent fire at their home. Selectman Rozanski also reported that the recent SWAP meeting was very successful and thanked Starbucks for their contribution of pastries and coffee.
- Selectman Galligan read a letter from Mr. Timothy Choate commending the Fire Department for their recent efforts. Selectman Galligan also inquired about the Bio-Cord References relative to the Choate Pond Restoration Project. The Administrator indicated that he would follow up with the Board of Health. Selectman Galligan also inquired about the school maintenance issues and pictures that Mr. Dubovsky submitted. Administrator Balukonis indicated that the pictures has been forwarded to the school department for their review and would follow up and report back to the Board. Selectman Galligan inquired about the status of meeting minutes. The Administrative Services Assistant indicated that she has been very overwhelmed with more pressing issues and is doing the best she can at the moment. Administrator Balukonis indicated that he and the Administrative Services Assistant would come up with a plan to get the minutes up to date. Selectman Galligan indicated that he had a list if needed, the Administrative Services Assistant indicated that she knows what session minutes are missing.
- Selectman Scott congratulated Shawn Lindsey who recently received an Eagle Scout Award. Selectman Scott indicated that he recently attended the Municipal Building Committee meeting and stated that the committee is working resolving the outstanding punch list items and will soon be able to focus on future municipal projects. Selectman Scott indicated that Chairman Lindsey would up date the Selectmen soon.

Report of the Chairman:

- Chairman Dziczek directed the administrative staff to obtain updates on the Planning Board sign removal status; Field Road status and ADA issues and report back to the Board as soon as the updates are received.

BOARD OF SELECTMEN REGULAR SESSION MEETING MINUTES OF  
NOVEMBER 29, 2004

9:40 p.m.; There being no other regular business to discuss Selectman Williams moved that the Selectmen enter into Executive Session and not return to regular session reason three “*To discuss strategy with respect to collective bargaining*”; seconded by Selectman Rozanski; Roll call vote: Selectman Scott—aye; Selectman Galligan—aye; Selectman Rozanski—aye; Selectman Williams—aye and Chairman Dziczek—aye; ayes 5-0-0 (voted).

Respectfully submitted,

Celeste R. Hanson,  
Administrative Services Assistant

APPROVED BY SELECTMEN  
ON:

## MINUTES OF THE SPECIAL SELECTMEN'S MEETING

December 1, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, Kent Scott, James Galligan and Town Administrator, Greg Balukonis. Administrative Services Assistant, Celeste Hanson, was excused.

8:33 p.m. – Chairman Dziczek called the meeting to order in Sanford Hall. All stood for the pledge of allegiance.

- Selectman Rozanski moved to rescind the vote taken by the Board of Selectmen to hold a Special Town Meeting on December 15, 2004. (Voted 5-0-0).
- Selectman Rozanski moved to hold a Special Town Meeting at the Medway Middle School, 45 Holliston Street ON December 20, 2004, beginning at 7:00 p.m. (Voted 5-0-0).
- Selectman Rozanski moved to open and close the Special Town Meeting Warrant at the conclusion of the Board meeting. (Voted 5-0-0).
- Selectman Rozanski moved to include Articles 1 and 2 on the Special Town Meeting Warrant. (Voted 5-0-0).
- Administrator Balukonis stated none of the remaining Special Town Meeting Warrant Articles were crucial in his opinion.
- Selectman Williams reviewed Article 13, which is a Citizens Petition seeking a local referenda procedure be established. He suggested the Article is not needed at this Special Town Meeting based on his conversation with Mr. Salvatore LaRiccia.
- Selectman Galligan questioned whether Article 3 is needed. The Selectmen feel no action is needed at the present time.
- Selectman Rozanski moved to close the Special Town Meeting Warrant including Articles 1 & 2 approved by the Board (Voted 5-0-0).
- Board members discussed whether to include additional warrant articles submitted by departments, boards and committees.

*8:55 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 Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

MINUTES OF THE SPECIAL SELECTMEN'S MEETING  
December 1, 2004

## MINUTES OF THE SELECTMEN'S MEETING

December 6, 2004

Present: Selectmen Joseph Dziczek, John Williams, Raphaela Rozanski, James Galligan, and Kent Scott; and Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson.

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

**1. *There were no public comments this session.***

**2. *Approve and sign warrant:***

- It was moved and seconded that the Board approve and sign warrant #23 for fiscal year '05 in the total amount of \$932,890.28 as read by Selectmen Rozanski; All ayes 5-0-0 (voted).

**3. *Lion's Club Proclamation:***

- Selectman Rozanski explained that the Board had previously discussed the many community events supported by the Lion's Club and wanted to show appreciation to the organization. Selectman Rozanski stated that the date of December 9 had been chosen which also represents the first swearing in of the Lion's and read the proclamation. King Lion, Diana Faust, come forward to accept the Proclamation and stated that it was a great honor to be a member of the Lion's and thanked the Selectmen.

**4. *Housing Authority Certificate of Appointment:***

- Col. Michael Matondi, Chairman of the Medway Housing Authority came forward on behalf of the Housing Authority members and stated that the board members unanimously voted to have Mr. Larson fulfill the remaining term left vacant by the passing of Mr. Coakley.
- Col Matondi moved that the Selectmen support the Medway Housing Authority and jointly appoint Mr. Larson to the Housing Authority seconded by Selectman Rozanski; all ayes (10-0-0) (5 BOS/5 MHA)—Voted.

**5. *Approval of Minutes:***

- Selectman Rozanski moved to approve the Selectmen's Special Meeting of December 1, 2004, seconded by Selectman Williams; all aye 5-0-0/

**6. *Reports of the Selectmen***

- Selectman Rozanski and Selectman Williams did not have a report this meeting.
- Selectman Scott indicated that he recently attended a Planning Board meeting and discussed the issue which was recently brought before the Board involving VHB. Selectman Scott reported that the Planning Board will be conducting a review of



## MINUTES OF THE SELECTMEN'S MEETING

December 6, 2004

the records and will provide a status report to the Board sometime in January or February. Selectman Scott reported that Chairman Wright of the IDC will soon be providing a forecast regarding the Cybex issue and also took the opportunity to thank of all individuals involved with the matter for their hard work, efforts and a job well done.

### **7. *Report of the Chairman.***

- Chairman Dziczek reported his understanding that the Ad-Hoc Committee that was formed to investigate ways to consolidate services shared by the Town Hall and School has been meeting and feels that the group is moving in the right direction and will continue to find areas to investigate.

### **8. Brook's Long Shot—Consideration to sell Christmas Trees and Wreaths:**

- Selectman Rozanski moved to approve the request of Brooks Long shot to sell Christmas trees and wreaths; seconded by Selectman Galligan; All aye (5-0-0) voted.

### **9. Proposal for Road Maintenance Management submitted by DPS Director:**

- Administrator Balukonis stated that Director D'Amico had submitted a Road Maintenance Program and a proposal estimate from VHB for Board consideration.
- Selectman Rozanski stated that she recalled a similar Road Maintenance Program or Report that had been performed approximately five plus years ago.
- Selectman Williams suggested that the matter be placed on hold and not accepted at the present time due to Town's current financial status.
- Selectman Galligan asked if it would be possible to have Director D'Amico be present the next time the item is scheduled for discussion before the Board.
- Chairman Dziczek directed the staff to place the matter on the future agenda items list.

### **10. Chairman, Gerry Lindsey—Municipal Building Committee update:**

- Chairman Lindsey came forward and introduced Attorney Davis Doneski from the firm of Koppelman and Paige. Chairman Lindsey stated that Municipal Building Committee Member, Keith Hoffses could not attend the meeting. Chairman Lindsey passed out a report to the Selectmen for their review as he explained some of the issues that have been discussed at recent Municipal Building Committee meetings. Some of the items included the ADA ramp issues for the auditorium and softball fields; field dedications; memorial to Dick Coakley. Chairman Lindsey reported that Hanlon Field had to be closed in order to resolve some outstanding issues. Chairman Lindsey noted that the committee is hoping to resolve the outstanding issues relative to the new high school project in order to move on to

## MINUTES OF THE SELECTMEN'S MEETING

December 6, 2004

other projects, one being the need for a new Department of Public Services Facility and that he needs to discuss some plans and ideas with Director D'Amico. Chairman Lindsey also noted that he would like the Selectmen to consider site areas for the MBC to review for the proposed future facility. Chairman Lindsey then introduced Attorney Doneski who will coordinate the outstanding demand for direct payments with Design Partnership in a matter of weeks and will set up the meeting to include the Administrator Balukonis and hopefully come to a resolution as soon as possible. Chairman Lindsey asked that all demand payments be coordinated and forwarded to Attorney Doneski by the Administrator's office. Chairman Lindsey asked if the Committee's request for Executive Session could be scheduled for a later date. Chairman Dziczek directed the staff to schedule the Executive Session as needed by the Municipal Building Committee.

### **11. Town Administrator Report:**

- Administrator Balukonis updated the Board relative to the upcoming Special Town Meeting Warrant articles. Administrator Balukonis noted that he forwarded a draft copy of the warrant to Town Counsel for his review and as a result Town Counsel had some suggestions relative to article wording which resulted with additional warrant articles. Administrator Balukonis also mentioned that he had several conversations with Town's representative at the Department of Revenue who also had suggestions relative to the Board of Health off-set receipts which resulted in Article 1 of the Special Town Meeting Warrant. The Board and Town Administrator entered into a discussion/explanation of the Special Town Meeting Warrant and Administrator Balukonis read the warrant articles for the benefit of the audience and anyone listening from home. Selectman Williams moved to add warrant articles one (1) and four (4) and renumber the previous warrant articles two (2) and three (3) seconded by Selectman Rozanski; all aye (5-0-0) voted.
- Administrator Balukonis provided the Board with draft notices to forward to liquor license violators informing them that public hearings would be scheduled sometime in January.

*(at 7:55 p.m. Selectman Scott left the Selectmen's meeting in order to attend the CPC meeting and returned at 8:10 p.m.; Chairman Dziczek brought Selectman Scott up to date relative to the Special Meeting Warrant Article (s) discussion.)*

### **12. Discussion of 2005 Budget Deficit**

- Administrator Balukonis passed out and explained his proposal to remedy the Fiscal 2005 Budget deficit. Administrator Balukonis then opened the discussion to the Financial Department (Town Accountant/Assessors).
- Board of Assessors Chairman, Harry Johnson, indicated that the Assessor's, Town Accountant and Town Administrator have been meeting regularly and would continue to meet in order to discuss the current shortfall issue and would report

## MINUTES OF THE SELECTMEN'S MEETING

December 6, 2004

back to the Board of Selectmen. Chairman Johnson also indicated his support of the Town Administrator's proposal.

- The Selectmen and the Financial Department entered into a brief discussion relative to transferring unused funds to assist with the budget deficit. Administrator Balukonis explained that some Department Heads are willing to allow the Town to use remaining funds if needed. Chairman Johnson indicated that some of the accounts the Administrator is referring to have not been capped. Selectman Galligan asked if there was a procedure for transferring the unused balances. Administrator Balukonis explained that any balance transfer would require a vote of Town Meeting.

### **13. Municipal Union Contract:**

- Administrator Balukonis stated that included in the Selectmen's meeting package was the final copy of the new collective bargaining agreement with the Medway Municipal Employees' Union which he Union voted to ratify and was now before the Board for execution. The Board took a few moments to review the contract and Selectman Williams moved to approve the Agreement between the Town of Medway and the Massachusetts Laborers' District Council on behalf of the Medway Public Employees' Local Union of the Laborers' International Union of North America; seconded by Selectman Rozanski--Ayes 4 (Selectmen Scott, Galligan, Williams and Rozanski) Abstain-1 (Chairman Dziczek) (4-0-1 Voted).

### **14. 12 Rear River Street Property Deed of Easement and Restrictive Covenants:**

- Administrator Balukonis indicated that Town Counsel reviewed and recommends that the Board of Selectman execute the Deed of Easement and Restrictive Covenants for 12 Rear River Street (Island) Property.

*9:47 p.m. There being no further regular business to discuss; Selectman Williams moved that the regular session meeting be adjourned and that the Board enter into Executive Session to discuss two issues under Reason 3(To discuss strategy with respect to collective bargaining or litigation ...) not return to regular session; Roll Call vote: Selectman Scott—aye; Selectman Galligan—aye; Selectman Rozanski—aye; Selectman Williams—aye and Chairman Dziczek—aye (All ayes 5-0-0) Voted.*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

*NOTE: APPROVED BY BOS ON*

## MINUTES OF THE SELECTMEN'S MEETING

December 13, 2004

Present: Selectmen Joseph Dziczek, James Galligan, and Kent Scott, and Town Administrator, Greg Balukonis. Selectmen John Williams, Raphaela Rozanski and Administrative Services Assistant, Celeste Hanson were not present.

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

### **1. *Public Comments:***

- Mr. Robert Dubovsky was present as a concerned citizen. He stated his interest to serve on the Municipal Building Committee. Selectman Galligan suggested that he provide the Town Administrator with a letter of interest.
- Mr. Dubovsky addressed conditions at the Memorial School. He expressed concerns about nothing being done. Photographs taken showed conditions of screens, concrete, air conditioners. Mr. Dubovsky believes maintenance was neglected. Mr. Dubovsky suggests the Board of Selectmen ask the Superintendent of Schools the status of various deficiencies he noted in the past. Chairman Dziczek indicated that the photographs will be forwarded to the School Department.

### **2. *Approve and sign warrant:***

- It was moved and seconded that the Board approve and sign warrant #24 for fiscal year '05 in the total amount of \$1,108,020.91 (\$238,152.22—Town bills; \$31,084.87—Withholdings; \$35,172.27—New High School Project; \$655,529.71—School Department Payroll and \$76,232.95 Town Payroll); All ayes 3-0-0 (voted).

### **4. *Report of the Town Administrator:***

- Administrator Balukonis suggested the Board of Selectmen open the warrant for the 2005 ATM. Selectman Galligan moved to open the 2005 ATM warrant with a deadline for articles being February 14, 2005. All ayes (3-0-0) voted. Chairman Dziczek pointed out that residents submitting petition articles should do so no later than February 14, 2005.
- Administrator Balukonis provided comments on changes to the Board's liquor policies. The changes address BYOB (Bring Your Own Bottle/Booze) service. He recommended the Board decide what actions to take concerning BYOB policy at a meeting in January.
- Administrator Balukonis mentioned that today was the deadline for submitting Fiscal 2006 Budget proposals. Not all budgets had been submitted as of the deadline.
- Administrator Balukonis furnished a draft Assistant Town Administrator job description. He noted that it was similar to the job description that was submitted

## MINUTES OF THE SELECTMEN'S MEETING

December 13, 2004

last February, but for several revisions. He believes that the Town needs to look to the creation of an Assistant position as part of the fiscal 2006 Budget.

- Administrator Balukonis announced that he will be leaving the position of Town Administrator no later than 7/1/05. Selectman Dziczek requested the Board of Selectmen be prepared to discuss hiring a new Town Administrator at the 1/3/05 meeting.
- Lastly, Administrator Balukonis indicated that a short meeting will need to be convened at the conclusion of the Special Town Meeting for tax rate setting purposes.

### ***5. Fiscal 2005 Budget Discussion***

- Present were Board of Assessors member, Harry Johnson, Finance Committee member, Diane Coulter, School Committee member, Jennifer Doherty, and David Verdolino from the School Department.
- The Board of Selectmen reviewed a to-do-list of various tasks resulting from last week's Finance Committee meeting.
- It was noted that the Town Administrator is waiting for a ruling on questions relating to the handling of a \$292,937 debt exclusion amount.
- The Town Administrator advises that \$75,000 in Bond premiums was not counted as incoming revenue on the budget voted at the 2004 Annual Town Meeting.
- Similarly, the Town is unable to list \$100,000 in revenue attributable to tax title receipts as a local estimated receipt.
- The Board reviewed the amount needed for the Solid Waste Offset Receipts budget. Administrator Balukonis stated that the Department of Revenue recommends that the budget remain as an Offset Receipt for the duration of Fiscal 2005. According to the Town Administrator, the DOR feels there is a risk in making a change close to the tax rate setting date. He recommends the Special Town Meeting indefinitely postpone actions under Article #1.
- The Town Accountant confirmed that \$47,000 in a prior year warrant article for police radios should not be transferred as a revenue source at the Special Town Meeting. The other amounts listed as old warrant articles may be used as a funding source to offset the deficit.
- The Board took no action on the health insurance budget. It was agreed to postpone action until there was certainty as to the amount of the Town's potential liability for Fiscal 2004 and 2005.

## MINUTES OF THE SELECTMEN'S MEETING

December 13, 2004

- There was additional discussion on the amount needed for the overlay. Administrator Balukonis stated that his estimates were lower than that of the Board of Assessors. Mr. Johnson indicated the Board of Assessors desires an overlay amount of approximately \$300,000. This results in the deficit growing in excess of \$100,000.
- Diane Coulter stated that the budget deficit is actually \$100,000 higher due to an amount not known before the tax rate setting process. She shows the deficit amount of \$800,000 plus.
- It was agreed that the Town Administrator should identify potential fund sources for the entire deficit amount, and provide the Board with this information as part of the 12/20/04 meeting package.
- Chairman Dziczek urged the Town Administrator to meet with department heads prior to the Special Town Meeting to inform them of any reductions in the Fiscal 2005 budget.
- The Board of Selectmen agreed to post a special meeting for 12/20 at 6:00 p.m. in the Middle School prior to the Special Town Meeting. The Board of Selectmen plans to meet with the Finance Committee upon conclusion of routine business to review recommendations for the Special Town Meeting.

### ***6. ADA Self Evaluation and Transition Plan***

- The Board of Selectmen reviewed a draft Request for quotation prepared by the Town Administrator on an ADA Self Evaluation and Transition Plan. A total of \$20,000 was appropriated for this purpose several years ago
- The Board of Selectmen requested the proposal be resubmitted, including any suggestions by the Disability Commission

### ***7. Execution of Deeds for Medway Commons***

- The Board of Selectmen took no action since it appears a plan is missing. Selectman Galligan stated that the legal description of the land area does not match the plans.
- The Board of Selectmen suggested that this matter be referred back to Town Counsel.

### ***8. Reports of the Selectmen***

- Selectman Scott did not offer a report.
- Selectman Galligan noted that the School Superintendent released his preliminary Fiscal 2006 Budget proposal. A budget hearing is set for 1/14/05.

MINUTES OF THE SELECTMEN'S MEETING  
December 13, 2004

***9. Report of the Chairman.***

- Chairman Dziczek suggested the agenda be revised to note ongoing discussion of Mr. Dubovsky's issues.

*8:40 p.m. There being no further business to discuss it was moved and voted that the meeting be adjourned; All ayes 3-0-0 (voted).*

Respectfully submitted,

Greg Balukonis  
Town Administrator

*NOTE: APPROVED BY BOS ON*

## MINUTES OF THE SELECTMEN'S MEETING

December 20, 2004

Present: Selectmen Joseph Dziczek, James Galligan, and Kent Scott, and Town Administrator, Greg Balukonis and Administrative Services Assistant, Celeste Hanson. Selectman Raphaela Rozanski arrived late. Selectman John Williams was not present.

6:03 p.m. – Chairman Dziczek called the meeting to order in Room 120 at the Medway Middle School. All stood for the Pledge of Allegiance.

### **1. *Approve and sign warrant:***

- It was moved and seconded that the Board approve and sign warrant #25 for fiscal year '05 in the total amount of \$777,301.38 as read by Chairman Dziczek; All ayes 3-0-0 (voted).

### **2. *Report of the Town Administrator:***

- Administrator Balukonis reported on the upcoming Special Town Meeting and provided the Board of Selectmen with recommended motions he drafted for their review and further discussion. Chairman Dziczek asked if the Finance Committee had been given copies of the possible motions. Administrator Balukonis indicated that the motions were sent via e-mail to all members of the Finance Committee prior to the Selectmen's Special Meeting.
- Administrator Balukonis stated that his budget recommendations were a result of a department head meeting that had been scheduled on Friday, December 17, 2004. Administrator Balukonis informed the Board that all major department heads attended the meeting; however, some of departments did not have representation at the scheduled meeting. Administrator Balukonis stated that the department heads who attended the meeting were happy to learn that their budgets would only be cut one-half percent (1/2 %) instead of one (1 %) percent. The board members and town administrator discussed suggested budget cuts and the departments and services that would be affected, if the cuts were enforced.
- Chairman Dziczek stated that if budget cuts were approved or recommended then perhaps another special town meeting could be scheduled in February to address the particular department (s) whose budget was cut (s) in an effort to cure such. Chairman Dziczek also stated that perhaps the same exercise could be addressed at the annual town meeting. Chairman Dziczek stated that Administrator Balukonis did a great job of compiling scenarios that represented both one and one-half percent (1% and 1/2%) departmental budget cuts.
- Selectman Rozanski voiced her concern of continued municipal budgets cuts and the effect such would have on town services and employee positions.
- Selectman Galligan stated that the Town Administrator forwarded answers to questions he had regarding the current budget status and would like to see Board action deferred to a future date based on the ever changing financial data and he fears potential employee layoffs.



## MINUTES OF THE SELECTMEN'S MEETING

December 20, 2004

- Chairman Dziczek asked the Town Administrator to confirm his confidence level with the current financial data and the \$900,000 deficit position. Administrator Balukonis stated that he is confident with the current set of figures and recommended that the Board move forward and take a positive action in order to accomplish setting the tax rate and emphatically stated not to do so would affect the Town's income.
- Selectmen Galligan asked when resident tax bills are due. Administrator Balukonis stated that if the tax bills are not sent out by December 31, 2004, then the tax bills would not have to be paid until May.
- Charlie Myers stated that a one percent (1%) school budget cuts represents four hundred thousand dollars (\$400,000) which would result in definite position cuts.
- Chairman Dziczek and Selectman Rozanski explained the special town meeting protocol for the benefit of the two new selectmen.

### **3. Annual License Renewals:**

- Selectman Galligan stated that he would prefer to hold action on the annual license renewal until after the first of the year.
- Administrative Services Assistant addressed the Chairman and stated that the Board needed to take action on the annual liquor licenses as the ABCC requires such and not to take action would result in establishments having to apply for new licenses via public hearing. Administrator Balukonis confirmed the Administrative Services Assistant's position and further stated that the Board should take action on the annual liquor licenses and could defer renewal of the remaining licenses to the Board's first meeting of the year.
- It was voted and approved that the annual liquor licenses be renewed and that the remaining license renewals be placed on the Board agenda for the first meeting of the new year. All ayes 4-0-0 (voted).

*6:45 p.m. There being no further business to discuss it was moved and voted that the special selectmen's meeting be adjourned; All ayes 4-0-0 (voted).*

*The Selectmen then joined the discussion*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

**NOTE: APPROVED BY BOS ON**