

MINUTES OF THE SELECTMEN MEETING Final

January 5, 2009

Sanford Hall, Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Dennis Crowley, and John Foresto, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Richard Dunne

7:01 p.m. – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

Acceptance of Gift-Handy Memorial Fund for Rt. 109 Crosswalks (Dave D'Amico-DPS Director)

The Handy Memorial Fund was developed by the Handy family in memory of their son who was hit by a car crossing Rt. 109. The family has made contributions for school and town related projects in Alex's name. This gift of \$800 will help to fund the light blue filler paint in some of the crosswalks in town. For more information residents can view www.projectalex.com. A letter of appreciation will be drafted.

Chairman Trindade moved that the Board accept the gift of \$800.00 from the Handy Memorial Fund and appropriate those funds to the Highway Department; Selectman Foresto seconded; no discussion: all ayes 4-0.

Snow and Ice Budget (Dave D'Amico-DPS Director)

Mr. D'Amico advised that approximately \$160,000 has been spent thus far from a budget of \$237,000.

Introduction of Assistant Town Accountant Julia Cullen (Carol Pratt, Town Accountant)

Town Accountant, Carol Pratt introduced Julia to the Selectmen. Ms. Cullen comes to Medway from DOR, the bureau audit desk and has a wide background in the public sector. Medway is happy to have her with her background and experience.

Presentation-Financial Statements-Melanson Heath (Frank Biron)

Mr. Biron comes to the board from Melanson Heath to discuss the results of the latest audit done on the Town of Medway. Melanson Heath has prepared the audit for the Town of Medway for many years.

Mr. Biron provided an opinion of the Financial Statements, the Management Discussion and Balance Sheet of Governmental Funds. Mr. Biron offered the following comments:

- Bond rating agency believes this years audit is a huge turn-a-round for Medway, three years ago negative \$500,000, much stronger than the majority of communities in Massachusetts. Mr. Biron commended the Selectmen and Town Management for this tremendous improvement.

- Mr. Biron advised the Town should consider paying off the deficit financing loan as the Town has the cash to do this. Administrator Kennedy advised this would cut some strings from the DOR watch but would only save the Town approximately \$300K per year.
- Re: budget to actuals, revenues beat the budget, which is very positive. This is due to a conservative approach over the last few years which helped to build the fund.
- Water, Ambulance and Solid Waste Enterprise Funds all had a surplus. Water \$282K, Ambulance \$86K and Solid Waste \$164K. Revenues exceeded expenses for FY 2007.
- Mr. Biron noted the estimate, if the Town had chosen to fund GASB45 2008 payment would have been \$900K.
- Management letter commends the Town on implementing the 10 management letter suggestions from last year. The books are in balance. The town was ready for the audit earlier than necessary. All deficiencies were cleaned and normal weaknesses were noted.

The Management letter this year suggests:

1. The Town should perform periodic internal audits, focusing on receipts. Departmental receipts are a high risk area.
2. A segregation of duties should take place. A second set of eyes in each department to look at receipts is suggested with department heads signing off on all turn-overs.
3. Council on aging senior program bus needs to change the handling of cash by the driver/s. It is suggested that a lock box for storing cash be obtained and a system of accounting by two individuals should be put in place.

Agreed upon procedural changes for Assessors, Water and Solid Waste:

- Receipts-same issues as noted above
- Building permits-should be pre-numbered and a tracking system put into place. A receipt to each customer and a departmental log initiated.
- Vendor disbursement
- Payroll disbursement
- Abatement process
- Building permits to value-stream-line to make happen faster so the assessment can happen more quickly. This problem is due to not having a full-time assessor on staff.

Mr. Biron concluded that Medway did a great job reconciling and all departments are working well together and accounts are up to date.

Selectman Espinosa offered that Medway is in the process of implementing a new accounting software system with special attention to permitting software. This will bring the school and municipal sides together. Permitting and licensing will be automated for better tracking.

Special thanks to Carol Pratt, Town Accountant and her staff, Melanie Philips, Treasurer/Collector and her staff, Suzanne Kennedy and the Financial staff as well as Barbara Durand, former Town Accountant.

Acceptance of Grant Funds-Community Policing (Allen Tingley, Chief of Police)

The Community Policing Annual Grant has been awarded in the amount of \$28,956.00. The grant request was for the improvement of internal cells and an audit for the repair of the roof at the police station.

Selectman Crowley moved that the Board authorize the acceptance of the grant for \$28,956.00 and appropriate the funds to the Police Department; Seconded by Selectman Espinosa; no discussion; all ayes 4-0.

Revision to Forecast (Carol Pratt-Town Accountant)

Ms. Pratt advised that the projected number in September did not adjust the revenue side. Projected deficit in September was \$604,000, changed to \$567,900 today.

Chairman Trindade advised that at the November Town Meeting rough projections for FY10, if everything done the same as this year, would need an additional \$604,000 from state aid, the number now is \$567,900. Hearing about a 10% cut in local aide coming, as of today's news. $\$567,900 + \$800,000 = \$1.4$ million deficit FY10 to level service. If the appropriation for FY09 is cut we will need to increase that deficit FY10 number.

Budget policy is being sent out to all departments asking for 5-10% cuts.

Selectman Crowley would like to make sure that we leave some of the nest egg for FY2010. Selectman Foresto would prefer cuts earlier rather than later and he's not sure of what the tradeoffs are at this point.

Administrator Kennedy advised that insurance cost savings will be looked at as the first project for the new HR director who is starting 1/6/09.

Selectman Crowley advised that the Lt. Governor will be speaking at a presentation on January 16, 2009 and requested the meeting be posted if multiple Selectmen plan to attend. The Administrator's office will post if appropriate.

Selectman Foresto questioned how cuts to the budget would be factored between the town and school, including Tri-County and Norfolk Agricultural School into that mix. The Administrator's office will arrange for Tri-County Representative, Linda Reynolds, to come to an upcoming meeting to discuss.

Presentation-Proposed Alternate Transmission Corridor-National Grid (Daniel McIntyre and David Beron, National Grid)

Medway is on an alternate route for transferring bulk power from Millbury, MA to Willimantic, CT by National Grid. It is the opinion of the presenters that the alternate route has a 0% chance of taking place. A presentation was made by the representatives

and abutters will be notified by mail. There is no impact to the Town of Medway as National Grid is staying within the easement.

The Administrator's office will arrange for a link to be placed from the Town web-site to National Grid for residents to retrieve information.

Authorization of Chairman to Execute Contract with Haley & Ward for Consultant Services concerning the Renewal of the Town's Water Management Act Permit (Greg Eldridge and Robert Pickering, Haley & Ward)

It is necessary for the Town to have a Water permit which governs the water consumption by the Town. If you exceed the amount of water you are permitted for, the State can shut you down. The current permit expires February 28, 2009. It is important to maintain 1.01 MGD's in unaccounted for water (UAW) or should be within 10% of that goal.

The last Annual Statistical Report, which was prepared by the Water/Sewer Department, was turned in to the State by the Water/Sewer Department late and was incorrect. When reporting the Annual Statistical Report you must provide documentation to help prove the UAW etc. The 2007 original report was inaccurate but was replaced. Unfortunately, the original back-up materials were sent with the report and no copies were obtained. There was a recreation of the base, but didn't have all the numbers to support the report. Thus the final UAW is 12%.

How to correct? Maintain .90 MGD's UAW for the next 5 years and stay ahead of the curve. Water Sup. Flaherty is going to track twice a year going forward. Keeping accurate records of what's being done and maintain back up for all records and carefully manage the department. A change of meters would be more efficient and billing more often would also help the process.

Administrator Kennedy advised that this work has already been completed and she recommends executing the contract. The work was completed prior to executing the contract due to time sensitive dates.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Haley & Ward for the renewal of the town's Water Management Act Permit in the amount of \$7500.00; Seconded by Selectman Espinosa. Discussion: Selectman Crowley clarified that the permit request was sent in on Nov. 30, should hear back approximately 2/1. There was no variation from the projections. If more correspondence/work is necessary is it included in the \$7500 contract? Haley & Ward advised that it is. All ayes 4-0.

Haley & Ward confirmed for Selectman Foresto that there is the ability to go back to DEP if needs change due to growth, considering the possible industrial growth the town is hoping for in the near future.

The question was raised as to if the Water department has all the right systems and documentation in place. Administrator Kennedy will make sure the operations are in place.

Authorization of Chairman to Execute Amendment to Industrial Park Road Well Contract with Haley & Ward for Supervisory Control and Data Acquisition (SCADA) System (Greg Eldridge and Robert Pickering, Haley & Ward)

When the Industrial Park Well was designed the programming piece was left out. SCADA is for the management of the wells. Some are managed via radio. This amendment is to add programming to well sites for \$32,000. A master touch-screen will be added and the training is included in the quote. The current panel would not accept the fourth well. There is a typical savings for phone lines at \$40.00 per month.

This system will monitor flow at stations, provide alarms and run reports. Operators can log in and control from Populatic or Town Hall. This is a computer based system with backup support. Medway is one of the only systems in the area without this system on board.

Selectman Crowley would like to see more detail in the first piece and would like more information and breakdown of costs on the second piece with growth capacity. Selectman Foresto would like Rich Boucher, IT Director involved in the implementation of this process. Mr. Boucher will be invited to participate and attend the next meeting this is discussed.

Chairman Trindade moved that the Board authorize the Chairman to execute the amendment to the Industrial Park Road Well contract for \$32,500 after the review and approval of Town Counsel and the Town Accountant, including a specific breakdown of \$32,500; Seconded by Selectman Foresto; no discussion; all ayes 4-0.

Discussion- Amendment to Agreement with Haley & Ward for Industrial Park Road Well for Additional SCADA Systems at various town wells and water tanks(Greg Eldridge and Robert Pickering, Haley & Ward)

This discussion was held for the January 26, 2009 meeting. Rich Boucher (IT Director will be asked to attend)

Authorization of Chairman to Execute Nurse Contract-Council on Aging

A grant was received to provide funding for nursing services to the Senior Center for the Franklin and Medway programs. The grant has been extended for six months. The grant will fund this contract.

Selectman Espinosa moved that the Board authorize the Chair to execute the extension of funding of the Nurse contract; Seconded by Selectman Foresto; no discussion; all ayes 4-0.

Ratification-Medway Public Employee's Local Union Contract (2007-2009)

The contract with the Medway Public Employees has been worked out and is similar to the fire, police and education contract. All unions have agreed to bi-weekly pay periods and accrued vacation monthly prospectively. Lengthy discussions took place with cross training, staff upgrades, planning coordination, assistant treasurer/collector position, assistant accountant position, and sick leave bank, no unlimited sick leave and insurance contributions being agreed upon. All contracts start/end on the same date of 7/1/09.

Administrator Kennedy would like to sign the contract this evening and would like to put a warrant article on the Special Town Meeting Warrant to transfer from salary reserves. Selectman Crowley would like time to review the contract before voting on, as this was just presented to the Selectmen today. He would also like all 5 selectmen present when signing.

Discussion of Scheduling a winter Special Town Meeting

A special TM has been scheduled for Tuesday February 24, 2009 at 7pm. The location will be announced after confirming with appropriate departments. The meeting must be posted two weeks prior and the warrant will be opened at a meeting to be held at 6pm on Wednesday January 14, 2009. This STM will be held to transfer funds due to the union contract negotiations and the movement of Free Cash.

Approval of Warrants Warrant #27 dated January 8, 2009. Town Bills \$465,220.83, Gross Payroll Town \$93,324.51, Gross Payroll School \$708,719.39, Total \$1,267,264.73. **Selectman Espinosa moved that the Board approved the Warrants as read; Seconded by Selectman Foresto; no discussion; all ayes 4-0.**

Approval of Regular Session and Executive Session Minutes-held for next meeting

Open Meeting Law-District Attorney's Letter Dated December 12, 2008

Chairman Trindade advised the Board of the need to respond to the District Attorney's letter dated December 12, 2008 regarding an Open Meeting Violation.

Chairman Trindade moved that the Board authorize the Chairman to respond to the District Attorney's letter dated December 12, 2008 and accept the findings; Seconded by Selectman Foresto; no discussion; all ayes 4-0.

Town Administrator's Report

Recreation-Administrator Kennedy announced the Town is working with the Town of Franklin and the Parks Commission to provide Franklin Recreation Department services in Medway as a precursor to regionalization. Flagg Football and a summer camp will be offered in Medway, at the direction of Franklin Recreation. The purpose is to provide more recreation in Medway. Selectman Espinosa suggested that confirmation is made with Medway's Commission to ensure they have contacted all Medway organizations to ensure there is no infringement on their programs. The Town Administrator's office will contact the Park's Commission Chair.

Management Study-White Water management study kick off was held on 12/30/08. Assistant to the Town Administrator, Allison Potter attended on behalf of Administrator Kennedy.

Organic Farm-A discussion took place regarding the lease of the property. The potential value of the lease of the land is what dictates the RFP. The property located at 50 Winthrop Street, could need to go out for RFP for a lease if the lease appraisal is over \$2500. It is the goal of the Town to go out to RFP by 1/8/09.

Administrator Kennedy gathered information from the Board to help to establish guidelines for a proposed lease. Items included length of lease, how many acres, Adams Street may also be included, and who will oversee the property. The Board offered a possible 5 year lease with three 5 year extensions, \$1.00 per year, 2 acres with a maximum of 4 acres, farm stand ability, house on Winthrop included. No one was assigned as the person to oversee the project.

Selectman Crowley would like to see a detailed technical proposal which includes a Community Education program, the responsibility of the house and an operations budget. He did mention that the Town would be responsible for mowing the unused acreage.

The Selectmen all agreed that no changes to the house can be performed without the approval of the Board of Selectmen.

Selectman Crowley moved that the Board request as part of the RFP the Lease Applicant provide a budget to operate as a farm. No second, motion dismissed.

Administrator Kennedy will compile the items mentioned to help with the preparation of the RFP.

Class II License-Michael Doyle (Allison Potter)

A discussion took place about the renewal of this license. It was decided that Ms. Potter will contact Mr. Doyle and request the location where he is storing his vehicles and ask that Mr. Doyle appear before the Board at the January 20, 2009 meeting.

Selectmen's Report

Trindade- Nothing to report

Crowley-Nothing to report

Espinosa-Nothing to report

Foresto- Nothing to report

Dunne- Absent

10:08pm Selectman Crowley moved that the regular session meeting be adjourned; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Respectfully submitted,

Wendy Harrington

Executive Assistant

*Approved 4-6-09

MINUTES OF THE SELECTMEN MEETING Final

January 14, 2009

Sanford Hall, Town Hall 6:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Dennis Crowley, and John Foresto, Richard Dunne, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

6:03 p.m. – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

2009 Class II License Renewal Discussion-Michael Doyle-(Allison Potter, Assistant to the Town Administrator)

Mr. Doyle was in attendance to reassure the Selectmen that he is not selling automobiles from his residence and is in compliance with state law.

Selectman Dunne moved that the Board renew the 2009 Class II License for Michael Doyle; Selectman Foresto seconded; no discussion: all ayes 5-0.

Ratification- Medway Public Employees' Local Union Contract (2007-2009)

The contract with the Medway Public Employees has been worked out and is similar to the fire, police and education contract. All unions have agreed to bi-weekly pay periods and accrued vacation monthly prospectively. Lengthy discussions took place with cross training, staff upgrades, planning coordination, assistant treasurer/collector position, assistant accountant position, and sick leave bank, no unlimited sick leave and insurance contributions being agreed upon. All contracts start/end on the same date of 7/1/09.

This contract is a result of goals the Selectmen set years ago including removal of unlimited sick time, bi-weekly payroll and accrued vacation. The contract brings parody to the package and now accurately reflects private industry.

Selectman Dunne moved that the Board ratify the municipal 2007-2009 contract; Seconded by Selectman Espinosa; no discussion; all ayes 5-0.

Administrator Kennedy noted that for two years monies have been allocated to salary reserve so as to be prepared for the contract settlement funding. The approval for funding will take place at the STM on February 24, 2009.

Approval-Emergency Transfer Request to Capital Improvement Planning Committee-(Jim Palladino, CIPC Chair)

CIPC would like to request an ETR for secretary salary in the amount of \$1120.00. (\$799.58 from 10/1/08 to 12/31/08 and \$365.52 from today until 6/30/09) CIPC held numerous meetings to get requests complied and projects completed for presentations. Money will be transferred from FinCom reserve. Selectman Crowley asked that CIPC stay within budget from now on.

Selectman Dunne moved that the Board approve the ETR in the amount of \$1120.00; Seconded by Selectman Foresto; no discussion; all ayes 5-0.

Selectman Foresto moved that the Board open the February 24, 2009 Special Town Meeting Warrant; Seconded by Selectman Dunne, no discussion; all ayes 5-0

Selectman Dunne advised that the City of Boston and Mayor Menino has publically announced a \$140 Million cut and he would like to discuss with the unions to consider a pay freeze for one year. He believes this will maintain service and the current head count. He believes this will set policy and show leadership.

Chairman Trindade would like to invite the Superintendent of Schools and Chairperson of the School Committee to sit in on an executive session to discuss what's best for the community.

Selectman Foresto believes that setting policy is a good idea but discussing with union leaders face to face should be done ASAP.

It was agreed by all that an open dialog and showing leadership, at the same time as trying to not make the process adversarial is the best way to approach.

Selectman Foresto also mentioned that there has been no talk about revenue, permitting/licensing fee increases.

FY10 Budget Projections-(Melanie Philips, Treasurer/Collector and Carol Pratt, Town Accountant)

Ms. Phillips and Ms. Pratt handed out Budget Projection data. Budget projections were discussed in detail, with FY09 Revenues, FY10 Forecast Revenues, FY10 Modified Level Funded Forecast Revenues, FY10 State Aid Reduction of 5% Forecast Revenues and FY10 State Aid Reduction of 10% Forecast Revenues all being compared.

Modified level funded was the best scenario to review as it provided the same state aid as was provided last year. With the same Cherry Sheet number and level service there would be a shortfall of \$604,644. If there is a 10% cut the shortfall would be roughly \$1.6 million, this would be 10% less than what was received in r FY2009.

Medway's stabilization fund formed and the Town was mandated to build up the balance as deficit funding. In years past the Town has dipped into that fund and it has been a negative balance. So it is the believe of this board to not touch that fund and work on possibly using free cash to help resolve some of the demands for the next two years.

Selectman Crowley would like the Town to review non-recurring costs and reminded the Selectmen that we are in better shape than most communities.

Selectman Dunne offered a thought that we should be working towards building a community and not continue the school side/town side approach.

A brief discussion regarding Tri-County and their budget took place. It was agreed that Administrator will contact Linda Reynolds, Medway's Tri-County Rep and ask her to attend the January 20, 2009 Selectman's meeting.

Bob Perella, resident of 28 Broad Acres Road

Mr. Pirella wanted to voice his concern of issues pertaining to a call to 911 on January 12, 2009 in which there were apparently problems with the alarm box located on Alder Street, across from Mr. Pirella's place of business.

Administrator Kennedy advised that Fire Chief Trufant is aware of this issue, he believed after having contractors work on the problem, that the issue was resolved, apparently it is not. Administrator Kennedy will report back to Mr. Pirella and the Selectman with an update.

At 7:00pm regular session of the Selectmen's meeting ended and Selectmen Dunne, Crowley and Espinosa remained for a regular session of the Finance Committee. No votes were taken while the Selectmen were present. Selectmen were present to listen to a discussion with Town Counsel in which Town Counsel clarified the Finance Committee's role in the budget preparation as it pertains to the new Charter.

7:40pm Selectman Dunne moved that the regular session meeting be adjourned; Selectman Espinosa seconded; no discussion; all ayes 3-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4-6-09

MINUTES OF THE SELECTMEN MEETING Draft
January 20, 2009
Sanford Hall, Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Dennis Crowley, and John Foresto, Richard Dunne, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

7:05 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

Public Comments: Keith Strange 13 Cottage Street, Medway

Mr. Strange wanted to make the Board aware of a sewerage backup that took place in his home on November 14, 2008. This issue was reported via a request for reimbursement to the Town Administrator’s office and Mr. Strange spent \$5,000 out of his own pocket to repair said damage.

According to Mr. Strange MIAA received the claim and an adjustor from Adjusting Associates estimated the damage at \$12,000. On 12/19/08 Mr. Strange received a letter from MIAA stating they didn’t feel the Town of Medway was at fault but the paving contractor, J.H. Lynch and Sons was the cause of the backup during a paving project on Cottage Street. MIAA suggested Mr. Strange pursue reimbursement from J.H. Lynch and Sons.

As of 1/20/09 Mr. Strange has not had a response from J.H. Lynch and Sons or a response from the Town regarding a letter dated 1/12/09. Mrs. Strange is an Attorney and the letters were sent from her.

Mr. Strange seeks reimbursement for his out of pocket expenses and the money for the damages the adjustor claims, no exact figure as MIAA will not give him the exact amount the adjustor reported.

Administrator Kennedy received the letter dated 1/14/09 and forwarded it to Town Counsel for review. Town Counsel was present for another matter and declined to comment on this situation.

Dave D’Amico, DPS Director explained the events that took place. The contract, J.H. Lynch and Sons did not ever finish the work necessary for complete the paving project. The manhole was covered and when opened the manhole had asphalt inside which caused the sewer backup. It is the contractor’s responsibility to check and clean out the manhole when their job is complete. The Town does the final inspection by the Sewer Department. The Sewer Dept has been unable to inspect because there are Verizon poles that need to be moved in order to be able to open the manhole.

All agreed that putting pressure on MIAA will get this resolved and reimbursed. Town Counsel and Administrator Kennedy are working on resolving and invited Mr. Strange to attend the 1/26/09 Selectmen’s meeting to discuss further.

Appointment-Zoning Board of Appeals and Education Fund Committee

Joann Bruce, 36 Dogwood Lane was present as she is interested in volunteering for the Educational Fund Committee.

Selectman Dunne moved that the Board appoint Joanne Bruce to the Education Fund Committee; Second by Selectman Espinosa; no discussion; all ayes 4-0 (Selectman Foresto had not yet arrived)

Selectman Crowley moved that the Board appoint Mindy Peden (who had sent a letter of interest but was not present); Second by Selectman Espinosa; no discussion; all ayes 4-0 (Selectman Foresto had not yet arrived)

Selectman Foresto arrived at 7:30pm

Discussion-Medway Recreation Programs-Ryan Jette, Town of Franklin Parks Director, and Jeff Nutting, Franklin Town Administrator

Mr. Jette and Mr. Nutting were present along with Medway Parks Commission Chairman, Sean Murphy to discuss a combined effort as a precursor to regionalization. Franklin runs a very successful recreation department and is interested in bringing some of their programs to Medway as a trial. Flagg Football and a summer camp will be offered on Medway property, with Medway children having first dibs on attendance. Possible expansion of programs is in the future and no Medway program already in place will be affected.

Final details regarding fees, insurance, workman's comp, and equipment have yet to be arranged. An inter municipal agreement will be drafted between the two towns.

Selectman Crowley suggested the Selectmen should hear from the Community Education Director to ensure there is no conflict. Selectman Dunne advised that if the Parks Commission is willing to go forward, the Selectmen should go forward.

Selectman Dunne moved that the Board allow the Town Administrator to draft a municipal contract for spring and summer programs with the Town of Franklin as agreed upon by the Parks Commission; Second by Selectman Espinosa; no discussion; all ayes 5-0.

A discussion took place regarding regionalization. The Selectmen agreed that Franklin Administrator Nutting and Administrator Kennedy should meet to discuss regionalization of such departments as library, 911 and DPS.

Authorization of Chairman to Sign Initial Compliance Certification for Eligibility for Town to Participate in MSBA Grant Program-Dr. Judith Evans, Superintendant of Schools

Superintendant Evans comes before the Selectmen to discuss funding through MSBA (Mass School Building Authority) for renovations and repairs to the Middle School. This process requires the Selectmen to sign an Initial Compliance Certification which is a certification of understanding and then the Town must appoint a Building Committee if the project goes forward and if the project exceeds \$1.5 Million an Owner's project manager should be appointed and finally a schematic design feasibility study.

Superintendant Evans has been contacted and told that MSBA is interested in fast tracking this project and she may also be able to get federal funding reimbursement to go along with the state

funding. She is not clear as to the amount of MSBA funding and advised the Board that signing the initial compliance does not commit us to the project. Monies to cover the funding would come from debt exclusion and then be reimbursed. Dr. Evans explained, after inquiry, that there is a facilities plan as part of the master plan and if a feasibility study is performed it should look at all the Town owned buildings.

The Selectmen questioned if a new building was warranted or if repairs would resolve enough of the issues at hand. It was explained that the feasibility study will look at the options. Dr. Evans explained that some components are new, boilers and roofs have a long expected life, but this is strictly for the replacement of existing systems, floors and windows. Under all scenarios going forward Medway will continue to need a Middle School but she will advocate for a full facilities review.

Dr. Evans concluded that once Medway shows a good faith to MSBA they will walk Medway through the rest of the process. If the Selectmen sign the Initial Compliance Certification today, the committee can be assigned at a later date.

Selectman Foresto moved that the Board authorize the Chairman to sign the Initial Compliance Certification and start working on appointing a committee; Second by Selectman Dunne; no discussion; all ayes 5-0.

Dr. Evans discussed the TRANE contract which could provide a significant energy savings for the Town. This contract will invest \$4Million into our schools and \$800,000 in rebates on the project. This will be paid for with guaranteed energy savings that TRANE says we will see in our energy bills going forward. The schools will issue RFQ to financing agency for 3.5% interest over 15-20 years.

The School Committee plans to hold a workshop for the Selectmen to become educated. Dr. Evans said that TRANE may be interested in working with the Town for additional savings on other Town buildings.

8:25pm Chairman Trindade moved that the regular session meeting be adjourned and the Selectmen enter into Executive Session with intent to return to open session for reason number six "To discuss the purchase, exchange, lease or value of real property...." Selectman Dunne seconded; Roll call vote: Espinosa-aye; Crowley-aye; Trindade-aye; Dunne-aye; Foresto-aye; all ayes 5-0

8:48pm Chairman Trindade moved to adjourn Executive Session and return to open session. Selectman Espinosa seconded; Roll call vote: Espinosa-aye; Crowley-aye; Trindade-aye; Dunne-aye; Foresto; aye; all ayes 5-0

Sewer Project Update-Dave Aimola

Dave Aimola presented the status on the Industrial Park Sewer extension project. The project is slightly behind schedule due to a shut down because of the cold weather. Their hope is to be through easement this week.

The presentation which included summary, progress, attention areas, schedule, additional costs, issues and goals for the next review was distributed and will be posted on the town web-site.

One issue to consider is an access road for NSTAR to service. There are a few possibilities that were discussed, but nothing has been finalized. When determining the best solution the best cost option for the town will be considered.

The project is currently under budget, but won't have good figures until March or April. A More Jobs grant reimbursement came in today.

During this discussion it was suggested that the Town locate a location to store sand and salt so during storms vehicles don't have to go from the opposite end of town to refill. The Administrator's office will begin searching for another location.

Open Town Annual Town Meeting Warrant

Selectman Dunne moved that the Board open the May Annual Town Meeting warrant; Selectman Foresto seconded; no discussion; all ayes 5-0. No date was determined to close the warrant.

Authorization of Chair to Execute Contract with Greater Attleboro –Taunton Regional Transit Authority

GATRA is hoping for a 24 rider bus in addition to the buses already in service. Currently Medway has an average of 40 passengers per day participating in the service to Norfolk train station. Medway is currently not charging as the program began with a free trial and has continued for over a year. Consideration in starting a \$1.00 donation program is in the works. A fair box has been installed in each vehicle.

Selectman Dunne moved that the Board authorize the chair to execute a contract by and between the Town of Medway and the Greater Attleboro-Taunton Regional Transit Authority; Selectman Crowley seconded; no discussion; all ayes 5-0.

Approval-Bond Anticipation Notes (\$971,000)-Melanie Phillips, Treasurer/Collector

The Treasurer/Collector comes before the Board to seek approval to seek DOR approval on an additional \$971,000 for authorized capital improvement projects. The Commonwealth requires the Town to seek approval from the DOR for any borrowing as a condition of the deficit financing. The BOS must vote to authorize the Treasurer to seek said approval. There are projects that will not be borrowing for including \$25,000 for the senior center, \$40,000 for the highway barn and \$20,000 for water valves at a school

Selectman Foresto moved that the Board authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow \$971,000 as a Bond Anticipation Note for capital improvement projects; Selectman Dunne seconded; no discussion; all ayes 5-0.

Authorization of Chair to Execute Contract with Custom Copper & Slate, Ltd. For the Thayer House Restoration-Dave D'Amico, DPS Director

This contract will be funded by a \$200,000 earmark from the state from a few years ago. There are two contracts \$38,525.00 for the house and \$87,809.00 for the barn, totaling \$126,334.00.

These projects must be completed by 6/30/09 to qualify for the earmark. The house and barn will each undergo specific improvements/replacements and when finished the property will be used for some kind of community use. The balance on the earmark of \$145,018.00 will be used by the historical commission.

The selectmen asked that there be a review of the liquid damages portion of the contract by Town Counsel before the Chairman signs the contract.

Chairman Trindade moved that the Board authorize the Chairman to execute a contract with Custom Copper & Slate, Ltd for a total cost of \$126,334.00 with the provision that Town Counsel review the liquid damages portion of the contract; Selectman Foresto seconded; no discussion; all ayes 5-0.

Appointments-Zoning Board of Appeals

Zoning members seeking reappointment will be invited to a future meeting for appointment.

Discussion-February 24 Special Town Meeting Warrant Articles

Chief Tingley was present to discuss two warrant articles, The Hawker (door to door solicitation) and the Public consumption of Marijuana. Chief Tingley would like to have the by-laws updated to change the public consumption of alcohol fines as well as these. Town Counsel is in the process of reviewing.

Authorization of Chair contract with JFK Consultants, LLC for Project Management Consultant Services for Implementation of Financial Software

This contract is for consultant services while the Town is in the process of upgrading the accounting system, replacing the school software and bringing the town and school together on one program. The purpose of hiring a consultant is to get the project completed in and timely and accurate manner.

The contract is not to exceed \$29,000 which will be paid in installments when each module is complete and the consulting firm was highly recommended by the Town of Franklin.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract with JFK Consultants, LLC for Project Management Consultant Services for Implementation of Financial Software; Selectman Crowley seconded; no discussion; all ayes 5-0. Selectman Espinosa and Selectman Foresto wish to be involved in the process of implementation.

Approval of Warrants

Town bills \$692,241.63, Gross payroll Town \$93,581.32, Gross Payroll School \$699,924.24 for a total of \$1,485,747.19.

Selectman Dunne moved that the Board approve the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 5-0

Approval of Minutes and Executive Session Minutes

Held for a future meeting.

Selectmen Reports:

Dunne: Selectman Dunne spoke of the state budget and how to best go forward and how to prepare for the worse.

Trindade: Chairman Trindade wanted to commend Eagle Scout David Robert Scanlon for his achievement and advised that he will be attending his ceremony on Saturday evening.

Chairman Trindade discussed a point from the auditor's report regarding licensing and associating numbers with each license. Administrator Kennedy explained that Town Accountant, Carol Pratt is looking into managing and implementing this process, she advised that this is not a reportable condition and it will eventually get done.

Crowley: Selectman Crowley wanted to clarify that 50 Winthrop Street is now clearly owned by the Town and that the appraisal process has started.

Administrator's Report:

Administrator Kennedy explained that of the \$234,000 snow budget, approximately \$217,000 has been spent as of this past weekend.

A discussion took place regarding a wage freeze for union employees and about setting a date to discuss this issue between the Selectmen and the School Committee.

9:55pm Selectman Crowley moved that the regular session meeting be adjourned and the Selectmen enter into Executive Session with no intent to return to open session for reason number three "To discuss strategy with respect to collective bargaining or litigation..."
Selectman Foresto seconded; Roll call vote: Espinosa-aye; Crowley-aye; Trindade-aye; Dunne-aye; Foresto-aye; all ayes 5-0

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING Draft

January 26, 2009

Sanford Hall, Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Dennis Crowley, and John Foresto, Richard Dunne, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

7:03 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

Possible Closing of Special Town Meeting Warrant

A final draft of the Warrant was sent out today, most Articles are financial with the exception of the Solicitor and Marijuana Articles that were reviewed at the last meeting.

Discussion-February 24 Special Town Meeting Warrant Articles

Article 1-This Article is for the transfer from the Health Insurance Account to the Legal Department. This transfer is for the purpose of paying the legal bills associated with the negotiation of the municipal contract for union employees. An approximate \$25,000 will cover the cost and will not negatively impact the Health Insurance Account. This account is volatile due to the changes in employee coverage.

Article 2-Article 2 transfers funds from the Water Enterprise retained earnings for the purpose of funding the Water module of the MUNIS financial software conversion and training. Town Accountant, Carol Pratt advised the Board that the amount is approximately \$30,000.

Article 3-Article 3 will transfer funds from the Solid Waste Enterprise retained earnings for the purpose of funding the Solid Waste module of the MUNIS financial software conversion and training. This is also approximately a \$30,000 transfer.

Article 4-Article 4 is a place holder but will be there to transfer money from Free Cash to fund the cost items for FY2008 and FY2009 in the collective bargaining agreement between the Town and the Municipal Union.

Article 5-This Article may move and replace Article 4 and is a transfer from salary reserve to fund the cost items for FY2008 and FY2009 in a collective bargaining agreement between the Town and the Municipal Union.

Article 6-Every 4 year there is a 53rd week in the year. This Article is to transfer from available salary reserve to fund the cost items of two additional work days in FY2009 for Municipal employees.

Article 7-Article 7 is also a place holder but there to transfer the sum of money from Free Cash to fund Town and School operations resulting from a FY09 state aid reduction.

Administrator Kennedy attended the MMA meeting last week and the Governor proposed cuts to cover shortfalls. Potentially Medway will have a \$450K cut for FY2010 over what was received last year. And the State may take \$160K away from what was already have been promised. The Snow and Ice budget is already over by \$100K

It was explained that there should be policy adjustments on snow removal. The Selectmen were not comfortable making those decisions without the DPS Director present and he will be asked to present a snow average at the next meeting.

Article 8-Article 8 is to increase the first collection demand fee on past due excise, real estate and personal tax bills. MGL Ch. 60, s 15 states that demand fees can be raised to \$30; Medway is currently charging a \$5 demand fee.

It was agreed to charge whatever is fair and appropriate and the Board asked Treasurer/Collector Melanie Phillips to report back with a true cost on processing and possibly for a three year period.

Article 9-Article 9 is a by-law change which has been previously discussed for penalties for marijuana consumption on Town property. Fines will now be consistent for both alcohol and marijuana.

Article 10-Article 10 will vest issuance of hawker/peddler license with the police department and will enable the police department to do all CORI checks and necessary paperwork.

Additional Articles must be received by 2/2/09.

Administrator Kennedy advised that the Proposed Budget Review Calendar will go out to Board members tomorrow and be reviewed at the February 2, 2009 meeting.

Selectman Crowley offered some additional Articles for consideration. The first was to change the Water/Sewer Board to an appointed Board rather than elected. Current members would remain in place until their term expired and new members would be appointed as members leave. Selectman Crowley means no disrespect to the current Board but it is time for a change in philosophy.

Selectman Espinosa believes this gives the opportunity to concentrate on the caliber of members, which is sorely needed.

Selectman Dunne doesn't want to take the right away from the people but believes the Water/Sewer Commission is disengaged from the process.

Selectman Foresto agreed that the lack of engagement is a huge concern but he's not sure which (elected or appointed) is appropriate.

Selectman Crowley moved that the Board assign the Town Administrator the task of drafting an Article for the Special Town Meeting Warrant and phrase so as to change the Water/Sewer Commission from an elected Board to an appointed Board and follow the Charter guidelines; Selectman Trindade seconded. Selectman Foresto advised the board that he has had discussion with the Charter committee and they had thought that changing this Board to appointed at the time the Charter was implemented was too much to swallow at one time, there were too many other changes going to happen. All ayes 5-0.

Selectman Crowley's remaining Article suggestions pertain to amending the current RFP for 50 Winthrop Street. The RFP calls for a remodel of the barn. (Selectman Dunne recused himself from any discussion pertaining to 50 Winthrop Street as he is a Board member for a non-profit that could be interested in the RFP). Selectman Crowley suggested an addendum to remodel or remove the barn. All agreed the barn is a hazard. Chairman Trindade would like to see the barn demolished before the property is leased and Selectman Crowley believes it should be the leasee who should have to deal with the situation. After a brief discussion it was agreed that a barrier should be put around the entrance to the barn to avoid a liability situation.

Selectman Crowley would also like to suggest that any respondent to the RFP must hold two public hearings in the year in order for the input of the community. He'd like to see the RFP modified to include this stipulation.

Administrator Kennedy advised that Selectman Crowley's suggestion could be part of the lease agreement and that she believes one individual is making this request and changes to this extent should be for the greater good. Selectman Foresto agreed and advised that it is a 501c3, which is a private organization and if necessary the lease agreement could stipulate annual meetings. **Selectman Crowley moved that the Board amend the RFP for 50 Winthrop Street to include that the respondent hold two public meetings each year; Chairman Trindade seconded; no discussion 2-2 (Selectman Dunne recused himself) motion does not pass.**

Worshop-Charles River Pollution Control District-Doug Downing, Chairman, Paul DeSimone, Rep-Medway, Al Wallace, Franklin, Gene Guidy, Franklin, Bob McRae, Director, Pat Hugues, Elaine Sistraine, Project Manager

Charles River Pollution Control District was present to present a 15 year plan for improvements to their facility. The CRPCD presented a \$19,320,000 debt exclusion and a \$490,000 over ride.

The Charles River Pollution Control District is owned by Franklin and Medway, with more shares being owned by Franklin. The above mentioned over ride does not impact the tax rate. CRPCD will increase rates for the communities that participate in the facilities use.

The CRPCD presented a presentation which was posted to the Town of Medway website for home viewers to follow along while the presentation took place.

The Board of Selectmen can either decide if these improvements are appropriate or it can be decided at ATM. The Selectmen took the presentation under advisement. Administrator Kennedy will discuss with Town Counsel. The Town of Franklin is meeting with CRPCD the beginning of March.

Approval of Warrants

Warrant # 30 1/29/09 School bills \$254,307.82, Gross payroll Town \$99,567.65 for a total of \$353,875.47.

Selectman Foresto moved that the Board approve the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 5-0

Cottage Street

Town Counsel advised the Administrator that her firm represents Travelers Insurance as well as The Town, not in the same manner. Town Counsel has asked that the Board execute a Determination and Consent pursuant to Supreme Judicial Court rule 3:0, PR 1.7 representation of the Town of Medway in Relation to the Cottage Street claim. Administrator Kennedy read the proposed motion.

Selectman Dunne moved that the Board of Selectmen execute the Determination and Consent as read by Administrator Kennedy and noted there is not a conflict of interest and Town Counsel has fully disclosed; Selectman Crowley Seconded; no discussion; all ayes 5-0.

Selectman Crowley advised that the Selectmen, Town Administrator and Town Counsel are working to get all the facts together, Selectman Crowley has spoken to the resident multiple times.

Selectman Dunne moved that the Board extend beyond 10:00pm; Selectman Espinosa Seconded; no discussion; all ayes 5-0.

9:50pm Selectman Crowley moved that the regular session meeting be adjourned and the Selectmen enter into Executive Session with no intent to return to open session for reason number three "To discuss strategy with respect to collective bargaining or litigation..."
Selectman Foresto seconded; Roll call vote: Espinosa-aye; Crowley-aye; Trindade-aye; Dunne-aye; Foresto-aye; all ayes 5-0

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL
February 12, 2009
School Committee Room, Medway Middle School 6:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa and John Foresto, Richard Dunne, Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

6:00 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

Review and vote on 2/24 Special Town Meeting Warrant Articles

Article 1-Article 1 is to transfer the sum of \$30,000 from the Health Insurance Account in Article #3 of 2008 ATM to the legal Department.

Selectman Dunne moved that the board recommend approval of Article 1 as written; Selectman Foresto seconded; no discussion; all ayes 5-0.

Article 2-Article 2 is to transfer the sum of \$35,276.00 from the Water Enterprise Fund retained earnings for the purpose of funding the MUNIS financial software system (charging back the software cost).

Selectman Crowley moved that the board recommend approval of Article 2 as written; Selectman Dunne seconded; no discussion; all ayes 5-0.

Article 3-Article 3 is to transfer the sum of \$35,276.00 from the Solid Waste Enterprise Fund retained earnings for the purpose of funding the MUNIS financial software system (charging back the software cost).

Selectman Dunne moved that the board recommend approval of Article 3 as written; Selectman Crowley seconded; Discussion: Selectman Crowley questioned if Administrator Kennedy had given the courtesy to the Water/Sewer Commission to let them know of these articles. Administrator Kennedy has on numerous occasions; all ayes 5-0.

Article 4-Article 4 is to transfer the sum of \$86,200.00 from available salary reserve to fund the cost of items for Fiscal Year 2008 and Fiscal Year 2009 in a collective bargaining agreement. Selectman Crowley questioned the balance of that account and was advised it was approximately \$100,000 but another article will deplete that balance.

Selectman Foresto moved that the board recommend approval of Article 4 as written; Selectman Crowley seconded; no discussion; all ayes 5-0.

Article 5-Article 5 is to appropriate a sum of money from Fiscal Year 2008 certified Free Cash for the purpose of funding the cost items for Fiscal Year 2008 and Fiscal Year 2009 in a collective bargaining agreement. Administrator Kennedy recommends dismissal of this article. **Chairman Trindade moved that the board dismiss Article 5; Selectman Foresto seconded; no discussion; all ayes 5-0.**

Article 6-Article 6 is to transfer \$13,781 from available salary reserve to fund the cost items for two (2) additional work days in Fiscal Year 2009 for Medway Municipal Employees. **Selectman Dunne moved that the board recommend approval of Article 6 as written; Selectman Crowley seconded; no discussion; all ayes 5-0.**

Article 7-Article 7 is to transfer a sum of money from Free Cash for the purpose of funding Town and School operations resulting from FY 09 state aid reduction. Administrator Kennedy

recommends dismissal of this article as there are funds excess funds available in the Healthcare account. The Healthcare Account has an excess of \$245,000 as a result of a change in the Healthcare plan which resulted in a \$90,000 reduction. A 10% increase has been budgeted for FY2010. Selectman Dunne asked if it would be better to let the funds sit and take funds needed from Free Cash. Administrator Kennedy would prefer to keep Free Cash for issues in FY2010. If the Healthcare funds go unused they will not fall to Free Cash until after an audit is completed in October of 2009.

Selectman Foresto moved that the board dismiss Article 7; Selectman Espinosa seconded; no discussion; 4-1 Selectman Crowley voting against.

Article 8-Article 8 is to transfer a sum of money from available funds for the purpose of settling a claim with Keith Strange and Colleen Cunnally for damage to their property located at 13 Cottage Street. Administrator Kennedy recommended that the motion include a not to exceed amount of \$12,174.00 and these monies be transferred from the FinCom reserve. Any FinCom reserve balance that goes unused falls to free cash in 2011. FinCom has approved this article and would approve the reserve transfer. Administrator Kennedy also advised that the Town's insurance company has refused to pay this claim twice. Selectman Crowley has asked that this issue be pushed to be resolved.

Selectman Dunne moved that the board recommend approval of Article 8 as written; Chairman Trindade seconded; no discussion; all ayes 5-0.

Article 9-Held for future discussion

Article 10-Article 10 is to transfer the sum of \$75,000 from the Water Department Enterprise Fund retained earnings to the Water Emergency account to fund the cleaning of the Oakland and Populatic wells and the flushing program.

Selectman Dunne moved that the board recommend approval of Article 10 as written; Selectman Foresto seconded; no discussion; all ayes 5-0.

Article 11-Article 11 is to transfer the sum of \$20,000 from the Water Department Enterprise Fund retained earnings to the Expense Chemical account, due to an increase in chemical costs and the use of chlorine.

Selectman Dunne moved that the board recommend approval of Article 11 as written; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Article 12-Article 12 is to transfer the sum of \$10,000 from the Water Department Enterprise Fund retained earnings to the Salary Overtime account due to fund any future water main break issues. Current this account is in the red by \$900.

Selectman Dunne moved that the board recommend approval of Article 12 as written; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Article 13-Article 13 is increase the amount from \$5.00 to \$10.00 the Town will charge for each written demand issued by the Treasurer-Collector.

Selectman Dunne moved that the board amend the Article to state effective July 1, 2009 instead of April 1, 2009; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Selectman Dunne moved that the board recommend approval of Article 13 as amended; Selectman Foresto seconded; no discussion; all ayes 5-0.

Article 14-Article 14 is to request that the Board of Selectman shall act as the Water and Sewer Commission for the Town.

Selectman Espinosa assumes that the Water Sewer Commission overseas the day to day operations and management of the department. These functions now fall (since the establishment of the Charter) under the Town Administrator. He doesn't see the benefit of the commission at this time. He believes the commission is operating inefficiently and it is another layer of government that is not necessary.

Selectman Dunne believes that when you have a bad quality manager you have a bad quality outcome and the DEP is the manager.

Selectman Foresto confirmed that if this article doesn't pass at STM the next opportunity to change the department, dissolve the water/sewer board or the like is the ATM in 2010. The question remains, does the BOS want to wait another year.

Selectman Crowley asked who would be the buffer when the rates are raised if the commission is abolished now?

Chairman Trindade believes that all past issues should have been managed and they were not.

Selectman Crowley moved that the Board dismiss Article 14; Selectman Dunne seconded; no discussion; 3-2 (ayes, Foresto, Crowley and Dunne, nay Espinosa and Trindade).

Article 15-Held for future discussion

Article 16-Held for future discussion

Article 17-Held for future discussion

Budget Discussion-Carol Pratt, Interim Town Accountant and Melanie Phillips, Treasurer-Collector

Interim Town Accountant Pratt handed out a document titled FY09 Actual Budget and FY10 Requested Budget. This document listed DOR FY09 Tax Recap Balanced Budget, Governor's Budget (House 1) State Aid reduction of \$342,532 2/2/09 FY10 Forecast Revenues as well as DOR FY09 Tax Recap Balanced Budget, FY10 Forecast Expenditures, Modified Level Funded and Level Service.

A discussion took place about the Governor's budget and State Aid/State Aid reductions that are unknown to date.

Selectman Crowley explained his displeasure with the School Committee and explained that the BOS had established a policy statement that requested a level funded budget be submitted from all departments. The School Committee submitted a level service budget on February 6, 2009 and at their last meeting was heard to say they would not be submitting a level funded budget, as requested. Selectman Crowley was very unhappy that the School Committee was going against the request and asked what kind of message that sent to the other town departments.

School Committee Presentation-Trane Energy Contract

Dave Verdolino, Steve Dahl, Leo McNeil-Trane, Shelley Wieler, Lynn Ludwig and Lisa Dickinson-Fiscal Advisors, Melanie Phillips-Treasurer-Collector

The Selectmen listened to a presentation by those listed above on the Trane Energy Contract. This is a company the Medway School Committee has chosen to contract with to proceed with an energy management program. Mrs. Wieler, sub-committee member, presented information such as, why our schools need an energy management program, why they chose Trane, how the program works, financing options and the benefits to the Town of Medway.

Administrator Kennedy asked questions of the Fiscal Advisor's regarding debt service and the impact on the Town's ability to borrow, should the Trane contract be bonded. It was explained that the source of payment on the bond will be by the savings generated. Those savings would be dedicated to paying the debt service and it will not impact future draws.

Ms. Ludwig and Ms. Dickinson explained that this would be a self supporting project, not initially, but if over time, and savings are seen, the bonding agency will see that it is self supporting. It's a matter of being creative and providing additional documents to prove the case. An Interdepartmental Agreement is suggested so that if cash flows become negative it is spelled out that budget adjustments from the school would take place instead of the school coming back to the town for additional money. Mrs. Wieler advised that she looks favorably at putting the agreement in writing and the School Committee would most likely agree.

Currently the bonding ratio is 10% and getting better. This is an acceptable range but 5% would be optimum. The financial advisors are reviewing the financial aspects of this project and are working to find the appropriate financing. Neither the financial advisors nor the Treasurer-Collector have recommended if this project should go forward.

Selectman Foresto congratulated the sub-committee on a well done presentation but has some concerns about risk and wondered if risk analysis had been looked at. Overall the project sounds great. There are many small projects being combined into one with a wide range of winners and losers. Selectman Foresto wonders what the payback period is.

Selectman Dunne asked about the solar panels as they are listed as Medway being responsible for their purchase. The total cost of materials and the program are included in the \$4.3 million amount. Medway will purchase the solar panels through Trane, Trane will install.

Selectman Espinosa believes that this project is a necessity that requires funding but is concerned for the other necessary projects that are on the horizon in the Town (water/sewer, town buildings, industrial base and roads). Where does this project sit in the line of priorities?

If this remains a warrant article and doesn't pass at Special Town Meeting February 24, 2009 the School Committee could proceed with a lease option or opt out of the Trane contract at the expense of the \$32,000 energy audit that has already been preformed.

Part of the Trane contract has \$800K in rebates to NSTAR and Baystate Gas listed, some rebates have been committed and it was asked if the documentation could be sent out next week to show they are approved. Those rebates are good for one year, so dragging of the heels could be a big risk.

A discussion regarding the most recent annual consumption baseline and the historical summary took place. This baseline was taken in 2007 and there was concern because 2007 was a spike year in rates. The savings are based on unit savings and can't really look at it in dollars.

Administrator Kennedy asked that in the event of receiving grants from MSBA, how do you know that MSBA may have given additional savings and how do you account for which savings are due to Trane projects? Mr. McNeil advised that the presence of savings will be proven and verified and the savings and efficiency will increase.

A discussion took place regarding the process by which Trane was selected. An RFQ was put out and 4 companies were analyzed by the sub-committee members and the Rise consulting engineer agreed, Trane was awarded the contract.

Selectman Crowley advised that he was unhappy with the process and the short amount of time that was given to the selection process and is still waiting to see documents from the selection process. Selectman Crowley believes that if the School Committee didn't need to bond the project, the Town would not have been involved in this \$4.3 million contract. Mr. Dahl agreed that leasing would have been quicker and easier so the committee went that route as it's within the School Committee's authority to enter into such a contract. Mrs. Wieler believes this was the best way to get the benefits to the students at no cost to the town and didn't bring to the other boards because they weren't ready to implement.

Ms. Dickinson explained that this bonding would replace retiring debt service and Administrator Kennedy and Ms. Phillips offered that they don't like to incur any more bonding in a year than has expired.

Dr. Evans noted that if the Town Meeting votes not to go forward, the School Committee will reschedule and go forward with a lease. Chairman Trindade offered that he has a huge problem with this statement as the schools are Town buildings and Town money will be used to pay for this contract. He suggested that Dr. Evans sell the project, validate the project's numbers and the benefits to the students and make this a worthwhile project. Selectman Dunne explained that if the Town votes this project down, he hopes the School Committee will rethink the project.

Dr. Evans answered Selectman Espinosa's request for the priority of this project with her belief that this project will improve the learning environment without incurring any additional costs. Mrs. Wieler believes this has top priority and if the project doesn't go forward it is irresponsible, the money is now going to the utility companies and it should be spent on capital improvements.

No vote on this article was taken. It will be discussed at the next meeting.

9:10pm Selectman Foresto moved that the regular session meeting adjourn; Selectman Dunne seconded; no discussion; all ayes 5-0.

Respectfully submitted,

Wendy Harrington
Executive Assistant

*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 14, 2009

Sanford Hall, Medway Town Hall 8:00am

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa and John Foresto, Richard Dunne, Dennis Crowley, Town Administrator, Suzanne Kennedy, Interim Town Accountant, Carol Pratt and Board Secretary, Wendy Harrington was present.

Absent:

8:05 a.m. – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

The purpose of this meeting is for the Selectmen to review departmental budgets.

Administrator Kennedy explained that she has had requests from the Finance Committee for spreadsheets of the budget that they can manipulate. The Finance Committee will only be receiving a PDF version of the budget and any questions should be presented by one member of the Finance Committee, whether that is the Chair or Vice Chair that is up to FinCom to decide.

Selectman Crowley asked if the Selectmen would consider asking each department to provide a level service plus budget. Selectman Dunne suggested each department head be asked to submit, in writing, a request for additional funds with specific details. Administrator Kennedy will get a memo out to each department with this request.

Interim Town Accountant, Carol Pratt explained that each budget reflects the current contracts including any agreed upon step raises.

Town Clerk-Maryjane White (page 45)

Town Clerk White discussed her budget and it was advised that there is no MUNIS expense for the Town Clerk because due to budgetary constraints the module that would affect the Town Clerk was not purchased. This would be an example of level service plus.

Chairman Trindade asked that it be considered for election polls to open at 6am instead of 7 or 8am. Ms. White explained there would be an additional expense for poll workers and police detail and that would be considered under level service plus.

It was determined that some of the numbers were not accurate and Ms. White and Ms. Pratt will need to meet and redo Ms. White's budget. Administrator Kennedy will arrange for Ms. White to present her budget again on a later date.

Building Department-Bob Speroni (page 63)

Upon review of the Building Department budget, Selectman Dunne believes there is approximately \$3000 in excess expense in this budget. This will be looked at in future deliberations.

Mr. Speroni explained there is a lot of activity in his department, the home building has decreased but the home improvements have increased. This results in his time being spent with home owners who are unaware of the process, unlike builders who know the process.

Mr. Speroni would like to see a change in the physical space/makeup of his department, which would help to run his department more efficiently. He would also like to see his secretary at 40 hours per week.

Council on Aging-Missy Dziczek (page 130)

Ms. Dziczek explained that she has made some adjustments but has stayed at level funded. A grant will continue to pay for a nurse. Utilities figure was provided by Dave D'Amico.

Selectman Dunne believes, after review of this budget there could possibly an excess of \$6000 that could be used elsewhere.

It was discussed that the Council on Aging would like to ask for Medway organizations to make a donation upon use of their facility. They suggest a \$20 one time donation for one time users and a \$100 monthly donation for non-profits who use the facility more often.

Ms. Dziczek offered that she would like more outreach workers/hours should she be granted level service plus funds.

GATRA-While present Ms. Dziczek spoke of the GATRA shuttle services that provides riders from West Medway Fire Station, Dry Bridge Crossing (Job Lot) and Medway Middle School, a ride to the Norfolk Train Station. A survey of the drivers has been completed and possibly eliminating the stop at the Fire Station is necessary. Drivers also have concern about traffic etc. at the Dry Bridge Crossing. Consideration on eliminating both was discussed, along with the larger number of vehicles that would then park at the Middle School and concerns with that. Ms. Dziczek and Selectman Crowley will arrange to ride the shuttle to talk to riders and an open hearing will be set up to discuss as well as provide information pertaining to asking for transportation donations from users.

A discussion took place regarding a shift in funding from GATRA to support a Metro West program. It was decided that Administrator Kennedy would draft a letter on behalf of the Selectman stating their dismay.

Charles River Pollution Control District (page 103)

The presented budget was discussed and the Selectmen agreed that Administrator Kennedy should continue talks with the Franklin Town Administrator regarding the \$19million capital projects. Administrator Kennedy advised that discussions are ongoing. The Selectmen are curious as to how this will affect the taxpayers, how much of an increase will users see each year and how this information will be presented to tax payers.

Administrator Kennedy suggested another presentation to the BOS by CRPCD to help answer additional questions. A workshop also needs to be scheduled to discuss water rates etc.

Town Accountant-Carol Pratt, Interim Town Accountant (page 27)

Part of the annual audit suggested internal audits. Ms. Pratt advised that Medway does not have the staffing to provide this function, but could be part of a level service plus request.

Ms. Pratt submitted an increase for her salary for equity purposes. The previous Town Accountant was paid at \$86K, Ms. Pratt is currently at \$70K and is aware she is not as experienced as some and is not sure what an equitable increase should be. Ms. Pratt would like to become appointed, certification is not required but will be taking the exam in March.

Ms. Pratt briefly discussed the MUNIS implementation process and explained that a very developed implementation plan is in place where accountability plays a large part. All departments that are involved are constantly notified so they are aware of the process.

Ms. Pratt advised that subscription line items are really memberships and with the new software she hopes to be able to change that title.

Selectman Foresto would like the board to consider presenting Ms. Pratt increases in two steps, a \$5,000 increase twice.

A brief discussion took place regarding the Governor's budget and Administrator Kennedy explained she had a meeting with Dr. Evans, Superintendent of Schools and what she believes the schools will be receiving for aid.

Warrant Articles

Article 9-School Energy Contract

Each Selectman was asked to comment with their thoughts since the Trane presentation on Thursday.

Selectman Foresto offered he has seen no financial analysis, no risk analysis, information regarding each of the 31 proposed projects and their different benefits and costs. What's the return on the \$4.3 million and what is the internal rate of return and discounted payback period for the whole project.

Selectman Dunne said that he supports the project from a technical aspect but is concerned about the timeline of the process. He would like to see the evaluations performed by the subcommittee that were done on the bidders and their justification for their choice and/or how they chose Trane.

Selectman Crowley explained that on Friday he went to obtain some requested documents from Mr. Verdolino, School Finance Director and was left some books that contained documents and was left to look through the books for documents he requested. He found one evaluation and it was filled out by the Rise consultant and found no forms filled out by the subcommittee members. Mr. Verdolino had said there was a written evaluation of Trane by the Rise

consultant, Mr. Crowley did not find that document but found notes Mr. Verdolino took from a phone conversation he had with the Rise consultant. Mr. Crowley found 4 binders, each containing a proposal from different companies.

Mr. Dunne explained that basically there is a \$32K cancellation fee, which includes the engineering survey. It appears that no one went back to the Rise consultant after the energy audit was completed for their opinion as to whether or not they should proceed before signing the contract.

It was suggested that before going out to bond it is clarified that there will be enough revenue to cover the cost of the bonding each year.

A question arose as to the process if this article fails at Special Town Meeting can it be brought back to a Town Meeting within a year. Administrator Kennedy will work with Town Counsel to determine the answer to this question.

Comments made by individuals:

- Chairman Trindade would like to communicate to the School Committee that the Board supports the contract.

- Selectman Dunne would like to see the backup data for the selection process.

- Selectman Espinosa doesn't want to see the project not proceed to fruition because of the process, he believes it is a good thing but believes it is good to understand the financials and pricings, units saved etc before proceeding.

- Selectman Crowley believes that the energy cost analysis was prepared at a high level and is unbalanced for the cost in 2010 and 2011.

- Selectman Crowley questioned if the \$790K savings includes the warranty of \$38K a year and questions if it is wise to extend out the \$38K over 20 years. He also wonders if the yearly maintenance fee is plugged into the cost.

- Selectman Dunne believes at the end of the day, regardless of the projects cost, the environment is going to change.

- Selectman Crowley wants to be sure that the board honestly feels they have gotten the best "bang for our buck" out of this contract. Without documentation we don't have the answer to that question and we don't know if the correct process has been considered. There is no reason why there can't be a committee to consider doing the whole town (municipal and school) and take six months lead time to get it all together.

- Chairman Trindade pointed out that most of the school work should be done when school is not in session. Therefore it is critical to get the ball rolling now. He questioned if the Town would be willing to hire someone, on the Town's dollar, to review the contract and get it done within 10 days, or could this be held off and have another Special Town Meeting to approve. He also asked that Selectman Espinosa sit down with Mr. Verdolino to discuss and if Selectman Crowley could be made to feel comfortable with the situation could the "due diligence" be forgotten.

Technical Services/IT-Richard Boucher (page 41)

Currently the IT Director's position is 40% in the School Budget and 60% in the Town Budget. It is the goal to move the IT Director and staff so as they are under the Town's Budget and then allocate the cost of services (expense and salary), on a monthly basis, to the School. Whomever

Mr. Boucher reports to should be responsible for the budgeting of this department. There are some items that would be specific to the school/town but ideally the school should only have an estimated allocated expense going forward.

Ms. Pratt suggests an interdepartmental agreement between the Town and School for this change.

Mr. Boucher has employees working for him who are desktop support and is considering eliminating a contract with TSI and increasing a full time support person.

Administrator Kennedy suggested Mr. Boucher come back with a presentation on a new budget to show both Town and School combined.

Mr. Boucher is working on replacing the phone systems Town wide and when asked if he is aware of any energy management computers in the school, Mr. Boucher advised he believes there may be one the boilers, but unsure and will check into this further.

The Selectmen asked that Mr. Boucher meet with the Library to discuss their IT needs.

Warrant Articles

Article 9-School Energy Contract-TBA before Special Town Meeting

Article 16-Selectman Dunne moved that the Board recommend approval of Article 16 as written; Selectman Foresto seconded; no discussion; all ayes 5-0.

Article 17-TBA before Special Town Meeting. Rob Pomponio will meet with the Selectmen prior to the meeting to discuss the rationale. Administrator Kennedy will provide a copy Article XVII, Historical Properties, Section 17.3,4 to the Selectmen for review.

Selectman Dunne advised the Board that he has resigned from the Medway Community Farm seeing there was a possible conflict of interest as the Board of Selectmen must decide on the RFP submissions.

The Selectmen would like to see the water commission re-engaged in the process and would like to dismantle the water working group.

Interim Fire Chief Trufant's appointment was discussed and Administrator Kennedy will work on arranging a time with his family, friends and the press. Once appointed Mr. Trufant will no longer be considered an on call fireman and no longer able to be paid for those runs as he will be a 40 hour a week employee.

Administrator Kennedy explained there is a minor issue with the EMS Enterprise account current YTD expenses as they are \$15,000 over revenues. It is possible that runs are not consistent with projections; in house billing may help this situation, looking into that possibility now. There is money in the ambulance stabilization fund to cover.

Whitewater has asked for analysis, their report due 2/2/09 will be in next week and they have requested to view time cards.

Selectman Dunne wanted to congratulate Rep. Vallee who is the new Majority Leader. Selectman Dunne also advised that Medway has been approached by a neighboring community to regionalize with our library. He has been given the go-ahead by the Library Board of Trustees to go ahead and explained that there are grants available for this type of regionalization. Administration Kennedy explained that she is meeting internally to work out details and explained that obtaining legislature to become certified may be needed to move forward.

12:59pm Selectman Foresto moved that the regular session meeting adjourn; Selectman Dunne seconded; no discussion; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 2, 2009

Sanford Hall, Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa and John Foresto, Richard Dunne, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Dennis Crowley

7:03 p.m. – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall, Medway Town Hall

Public Comments: None

Street Acceptance Process-Barbara Saint Andre, Town Counsel, Susy Affleck-Childs, Planning Board and Andy Rodenhieser, Planning Board

Attorney Saint Andre and Planning Board representatives came before the Board to discuss the process of street acceptance, explain some of the obstacles and seek general guidance on setting a general policy to help with acceptance of problematic streets/developments.

Issues lie with the subdivisions that were built in the 90's as the process going forward is clear. The Planning Board is currently dealing with six or seven subdivisions and thus far has put the burden of clearing up issues on the developer. All problems are with title issues, the plans don't indicate where the houses and driveways will be placed and the developers didn't allow for roadways.

Street acceptance occurs when all requirements have been met, Town Meeting votes to accept, the remaining bond is returned to the developer and the street is then owned and maintained by the Town.

Attorney Saint Andre wants to make clear that it is necessary to be careful not to set legal precedence that will then give developers on future projects an out. The Planning Board has no recommendation at this point as each development that needs to be accepted is its own creature and the Planning Board is modifying its procedures as they deal with each one.

The Town is performing plowing on the private roadways and the town has the right to charge the developer for the maintenance on the roads. Chairman Trindade would like to see that the DPS department is tracking on snowplowing on these unaccepted roads so when the roadway is accepted the bond or the contractor is charged for the plowing.

Attorney Saint Andre does not believe that taking by eminent domain is the best way to proceed. Pushing the developer to get everything done and working each development individually is a smarter way to proceed. The Planning Board has an account with monies from each developer to pay for legal fees, should they be incurred.

The question remains if the Town would be willing to accept these streets with less than perfect conditions. Chairman Trindade has requested a list of problematic developments with the history and specifics involved.

Selectman Espinosa suggested that a public session should be held on each subdivision with issues, invite the developer and the residents so that the facts could be presented and any issues could be resolved with all parties present.

Attorney Saint Andre and the Planning Board will continue to work through the issues.

Approval-MIIA Grant Expenditure-Police Department-Allen Tingley, Chief of Police

Chief Tingley explained that this grant is from MIIA, the Town's insurance company, in the amount of \$4,600.00. The grant will fund the purchase and installation of a Guard One Professional Suicide Prevention System. This system will aid in the prevention of suicides in holding cells.

Selectman Foresto moved that the Board accept the grant from MIIA for the purchase and installation of the Suicide Prevention System in the amount of \$4,600; Selectman Dunne seconded; no discussion; all ayes 4-0.

Award of Bond Anticipation Notes-Melanie Phillips, Treasurer/Collector

Chairman Trindade moved that the Board grant the BAN to Eastern Bank at 2.75% and in the amount of \$971,000; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Discussion-Snow and Ice Budget-Dave D'Amico, DPS Director

Director D'Amico advised that he has currently spent \$399K of a \$236K budget, with another storm in the forecast. The snow removal policy was reviewed, and it, along with an updated budget is posted on the Town's website. Roads take first priority and sidewalks are then plowed, with first priority to the sidewalks within close range to the schools.

It was agreed that the snow removal is at the hands of the Director. Selectman Dunne suggests that the snow/ice budget should be increased and suggested incremental increases. Selectman Foresto asked about contractor services and Mr. D'Amico explained that he pays contractors at a state recommended pay rate. Selectman Foresto also asked if a capital investment should be considered to help reduce the future cost of contractors.

Appointment-Zoning Board of Appeals

Selectman Dunne moved that the Board appoint Peter Glucker as a full Member of the Zoning Board of Appeals, Mr. Glucker was formerly an associate member; Selectman Foresto seconded; no discussion; all ayes 4-0.

Discussion-Tri-County Regional Vocational High School Budget-Linda Reynolds, Representative

Ms. Reynolds was present to discuss the Tri-County budget process. The Tri-County School Committee appoints a Budget Sub-Committee. Currently the budget is being discussed by the Budget Sub-Committee and is schedule to present their budget to their School Committee on 2/18/09 (3rd Wed of the month). A final vote on the budget will take place on 3/18/09 (3rd Wed

of March) and will then be presented to the Towns that make up the Tri-County district. A two thirds vote of the communities is needed to accept the budget.

Treasurer/Collector Phillips advised the Selectmen that Medway pays an assessment of \$46,000 per month to Tri-County for the students who attend.

The Selectmen would like Ms. Reynolds to explain the financial situation to the School Committee, and it was decided that a letter with Medway's financial picture and policy statement will be drafted and Chairman Trindade will attend, with Ms. Reynolds, the 2/18/09 session to voice the concern to Tri-County. In the past Medway has cut services to its own school system while Tri-County is increasing their assessment, which the Selectmen find concerning.

Frank Faist, Finance Committee Chairman advised Ms. Reynolds that Medway departments were asked to prepare two budgets (level service and level funded) and would like to see Tri-County do the same. Ms. Reynolds believes only one budget is being prepared with state aid cuts being taken into consideration.

Administrator Kennedy will arrange a date for Tri-County to present their budget during the BOS budget review process. Ms. Reynolds will contact Chairman Trindade with confirmation of the date for the sub-committee's presentation to the Tri-County School Committee.

Authorization of Chairman to Execute Amendment #2 to Industrial Park Road Well Contract with Haley & Ward for Additional Engineering Services

Greg Eldridge, Haley & Ward and Mark Flaherty, Water Superintendent were present to discuss Amendment #2. Mr. Eldridge explained that the 2006 estimate for the Industrial Park Road Project estimated not to exceed a specific number of hours. This request is for an additional \$35,000 that is needed to complete the remainder of the work. There were 250 hours of on-site work estimated in 2006; actual hours are now over 500 hours. Mr. Eldridge explained there were NSTAR delays, conservation restrictions and equipment delays. Mr. Eldridge believes that he is still under budget and the \$35,000 request is more than two months old. (Administrator Kennedy explained she was not able to get this item on the agenda until today)

Chairman Trindade moved that the Board authorize the Chairman to execute Amendment #2 to Industrial Park Road Well Contract with Haley & Ward for additional engineering services; Selectman Foresto seconded; no discussion; all ayes 4-0.

Discussion-Amendment to Agreement with Haley & Ward for Industrial Park Road Well for Additional Supervisory Control and Data Acquisition (SCADA) Systems

The installation of SCADA would place the entire water system on the same computer system and allow for the interfacing of all sites and the viewing and storage of any/all data.

Chairman Trindade explained that Medway is one of the only communities that does not have this system in place.

A question was raised by Selectman Foresto asking what the benefit would be to not going out to RFP. Mr. Eldridge explained the savings in engineering costs and that their contractor is already in place and could easily proceed with the installation of the system. Selectmen Foresto was

uncomfortable with proceeding without going through the RFP process. Selectman Dunne felt it would be beneficial to step back and absorb all the information and address at another time. Mr. Eldridge explained that the contractor should be on site until April/May so there is time to decide and advised that the training for the SCADA system is included in the proposed price. This item will be placed on the next meeting agenda for reconsideration.

Discussion of Special Town Meeting Articles

Articles 9, 10, 11-Mark Flaherty, Water/Sewer Superintendent was present to discuss Articles 9, 10 and 11 all of which transfer monies from the Water Department Enterprise Fund. Article 9 is for \$75K to the Water Emergency Account to help fund the cleaning of the Oakland and Populatic wells and the flushing program. Article 10 is to transfer \$20K to the Expense Chemical Account as the Water Department didn't include the cost of chlorine in their budget. Article 11 transfers \$10K to the Salary Overtime Account to cover any future water break issues, current this account is in the red by \$900.

Article 12-Melanie Phillips was asked at the last meeting to present an assessment of the costs involved in preparing demand statements on tax bills, so that the Board could determine an appropriate change in the demand fee. Ms. Phillips explained that the cost to prepare is \$2.39 per demand, including envelope, paper, staffing and postage. She will work this FY to reduce the postage costs. It was agreed that the demand fee will be increase from \$5.00 per bill to \$10.00 per bill.

Placeholder Articles-The School Committee has presented two placeholder articles, for consideration, regarding the Trane Energy Contract. The project went out for a financing bid and came back at 4.7%-5.2%. Melanie Phillips, Treasurer/Collector has been working with David Verdolino on the possibility of Bonding at 1-2 points. By bonding there is the possibility for considerable savings as bonding has better terms than the leasing terms. The lease option available was for 10 years only at a high interest rate.

There are many items that need clarification and the question was raised if these clarifications could be answered in time, as the warrant needs to be posted on 2/10/09. Clarification from Bond Counsel as to how the bond will be paid is necessary. Another Special Town Meeting could be held, at a cost of a few thousand dollars, because the School does not want to wait until the May Annual Town Meeting to have this decided by the Town.

It is believed that the signing of the Trane contract is contingent upon financing. The Selectmen requested a copy of any information the Treasurer/Collector or the Town Administrator have in their possession be sent to them via email. They would like to see, including the contract and escape clause, the financing RFP, RFQ which selected Trane, cost of equipment, analysis, report projects and savings.

The Selectmen feel that a proposal/explanation of the project has not been presented to the Town and would like hear more from the School Committee on the entire program.

Chairman Trindade moved that the article referred to as placeholder #1., read be placed on the Feb 24, STM warrant; Selectman Dunne seconded. Discussion: Selectman Espinosa

wants to ensure the information requested will be obtained and presented to the Selectmen in a timely fashion. All ayes 4-0.

Chairman Trindade moved that the article referred to as placeholder #2., read, be placed on the Feb 24, STM warrant; Selectman Dunne seconded. Discussion: Selectmen have requested actual numbers and details. All ayes 4-0.

A brief discussion took place regarding a letter that has been drafted to be sent to the Chairman of the School Committee requesting a meeting, in executive session, between the two boards to discuss collective bargaining negotiations. The document will be corrected, signed, PDF'd and emailed.

Chairman Trindade moved that the Board extend the meeting past 10pm; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Articles 1-6-Administrator Kennedy explained that Carol Pratt, Interim Town Accountant is still working on the data for these Articles. The amounts will go in the motions.

Article 8-This is a new article related to the issue at 13 Cottage Street. Town Counsel will write the motion for this article.

Article 13-Article 13 is also new and is not specifically what Selectman Crowley had requested. Administrator Kennedy explained that in order to effectuate what Selectman Crowley wanted it will take another year. This Article will remove the Water/Sewer Commission. As explained by Administrator Kennedy and as stated in the charter, the function of the Water/Sewer Commission is only to address rates. Town Counsel believes if the Selectmen are in charge of the Water/Sewer it will render more accountability and confidence to the tax payers.

Article 7-This may not be necessary as there have been savings in the healthcare account.

Closing of February 24 Special Town Meeting Warrant

Chairman Trinidad moved that the Board close the STM Warrant for February 24, 2009; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Approval of Warrants

Selectman Foresto read the warrants: Town bills \$712,436.16, Gross Payroll Town \$90,582.42, Gross Payroll School \$717,327.25. Total \$1,520,345.83.

Chairman Trinidad moved that the Board approve the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Review of Proposed FY2010 BOS Budget Review Calendar

The Budget Review Calendar was distributed and will be reworked and emailed.

Selectmen's Reports:

Foresto: The issue with Comcast has been sent to the State level for assistance.

Dunne: Projected numbers show a cut of \$147K in 9C monies and \$300-\$500K for FY10. A policy and discussion needs to take place with all unions. Regionalization needs to happen and it was suggested that a working group be formed to start the process.

Espinosa: *Nothing to report*

Trindade: *Nothing to report*

Crowley: *Absent*

Town Administrator's Report:

Administrator Kennedy has received an inter-municipal contract from the Town of Franklin for recreational services, which will be placed on the next agenda.

Administrator Kennedy has decided to postpone the workshop set for 2/17/09 with the Water/Sewer Commission, Consultants and the Board of Selectmen to March. This workshop will be to discussion rates and betterments.

Agenda Items held for discussion at a future meeting: Authorization of Chairman to Execute Contract with Weston & Sampson for Comprehensive Water Master Plan; Appointments to School Building Committee, Zoning Board of Appeals and Education Committee; Approval of Minutes; Approval of Executive Session Minutes

10:35pm Selectman Dunne moved that the regular session meeting adjourn; Selectman Foresto seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 20, 2009

Sanford Hall, Medway Town Hall 6:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: *Richard Dunne*

6:09 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

The purpose of this meeting is for the Selectmen to review departmental budgets.

Animal Control-Brenda Hamlin (page 121)

Ms. Hamlin reminded the Board that her budget is shared by the Town of Millis. Millis pays her salary and there is no salary increases reflected in this budget. There is however a \$570 reduction in the budget and she has reflected that by eliminating her beeper line item and has increased her equipment line item to cover the cost of the beepers.

Ms. Hamlin gave some history of her department and says that historically Medway uses more services than Millis. Many more residents are taking advantage of having a microchip implanted in their pet and equipment upkeep is necessary to help those residents. Her vehicle is maintained by the Town of Millis, the kennel is housed in Millis and Medway is responsible for upkeep of her office which is located in the Village Street fire station.

Police Department-Chief Tingley (page 114)

There is an officer that will be retiring, a discussion took place regarding replacing that officer. The department will continue to use permanent intermittent officers/dispatchers to fill those open positions, but Chief Tingley explained it is becoming more and more difficult to place those officers in an academy and with lay off’s the civil service department may start to require that open positions be filled with more senior, laid off, police officers.

A discussion took place regarding the IT needs for the police department. Currently Officer Reardon is fulfilling those needs but the discussion geared towards involving the IT Director in the day to day standardization of all departments. Mr. Boucher will need to become acclimated with the police operations etc.

Chief Tingley explained his level service plus would include a new K2 vehicle.

(Selectman Foresto arrived at 6:40pm)

When asked whether he would choose an additional officer or a detective if given the opportunity, Chief Tingley explained that it was a tough call. His detective is very busy due to the amount of identity theft. Chief Tingley also explained that Community Policing has been cut

by the State, so continuing to provide services to parades and events is important and they would be put in the level service plus category as well.

Police and Fire Communications-LT. Boltonhouse (page 118)

Permanent Intermittent (dispatcher) will continue to be offered a program to train in the cruisers with the patrolmen. This aides the patrolmen as well as serve as valuable training for the dispatchers.

Telephone-IT Director Boucher is looking into replacing the entire telephone system for the town. This will be looked at in the near future.

Fire Department-Interim Chief Paul Trufant (page 110)

Interim Chief Trufant explained he has reorganized the department. He's doing more inspections, changing the vehicles being used, not sending the ambulance out when doing inspections, a car is being used to conserve gas. All positive improvements, which show in the budget.

There is a reduction in heat and electric expenses, which are figures that were obtained by Dave D'Amico. Administrator Kennedy wants to be sure the heat and electric bills are paid up to date before moving excess money from those line items.

Administrator Kennedy and Interim Chief Trufant will tweak the budget and Chairman Trindade has asked that an YTD call report/incident report be prepared as it relates to last year.

Once Chief Trufant is appointed, he will need to replace one on call person.

EMS-Interim Chief Trufant (page, last page in packet)

This budget requires careful monitoring as it is an enterprise account and is running behind on revenues. Comstar is paid to do the billing for this account and it appears that the collection rate is lower. Selectman Crowley has asked the Chief to do another evaluation of projections and collections for the Board's review. Chief Trufant will be looking into a cheaper billing system or possibly doing it in house in the future.

Chief Trufant explained that everything in the fire and ems groups is going smoothly; moral is high, everyone is happy and most are almost finished with their training. The department is run as a team effort.

Selectman Foresto moved that the board adjourn regular session meeting; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 21, 2009

Sanford Hall, Medway Town Hall 6:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

8:10 a.m. – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall, Medway Town Hall

The purpose of this meeting is for the Selectmen to review departmental budgets.

Human Resources-Susan Ellis (page 14)

Ms. Ellis' goal, as this is a new department is to set up a framework with a \$0.00 budget. She requests that the department obtain its own scanner, printer and fine cut shredder as confidential information often goes in and out of her office, especially during contract negotiations. The \$2,000 request is for equipment purchases and to stock the department with supplies.

Ms. Ellis has arranged for a 65% reduction in cost of supplies through WB Mason.

The advertising budget should drop by \$4300.

Ms. Ellis would like to change the process for pre-employment physicals, psychological, physical and PAT exams for police and fire.

Ms. Ellis believes that this HR department should be the school and town combined. Administrator Kennedy has spoken to the Dr. Evans and the school currently has someone doing their payroll and benefits but doesn't want to deal with the retirees. Ms. Ellis has experience dealing with retirees so she will work with those employees. Because the town is the fiduciary agent all HR functions should be under the town.

A second employee has been added to the HR department. Page Epillito currently works 40 hours for the treasurer/collector doing many HR functions. With this budget Ms. Epillito will work 10 hours for treasurer/collector and the other 30 for HR. Ms. Epillito will be non-union and will report to Ms. Ellis. This change is in an effort to create a process for the HR department.

Selectman Dunne spoke to the police negotiating person regarding a pay freeze. The police brought this issue to their negotiating team and they agreed to open a discussion on a pay freeze with the stipulation that the freeze would be town wide and the department would stay the same in size, even though one officer is retiring. Their union is open for other discussions.

Town Administrator-Suzanne Kennedy (page 11)

This budget reflects agreed upon raises for the Town Administrator and staff that were agreed upon, including fringe benefits. These are raises similar to union raises, which were agreed upon. This budget also reflects the additional day in 2010.

Administrator Kennedy would like to rename the Assistant to the Town Administrator to the Town Administrator Assistant and place Allison Potter in that role.

Advertising budget has been moved to the HR budget and Administrator Kennedy will look at this budget historically to ensure its accuracy.

Other purchase services are appraisals, land deals, independent consultants for as needed projects.

Short and long term disability has been moved to the HR budget as the expectation is to discuss in negotiations this year.

Out of state travel was not spent entirely this year as Administrator Kennedy did not have time to attend out of state conferences.

Due to budget season activities, Administrator Kennedy will be asking T/C Melanie Phillips to work on implementing MUNIS and as Ms. Pratt to focus on budget revisions. A spreadsheet of noted changes will be given to Ms. Pratt upon her return from vacation.

Board of Health-Bill Fisher (page 126)

Mr. Fisher explained the Board of Health responsibilities with regard to inspections and explained that he does about 8 complete (multi step) perk inspections each year. The Selectmen questioned the need for budgeting for an additional inspector if inspections are scheduled events and could be worked in around vacations etc.

The travel line item was questioned as Mr. Fisher has been assigned a town vehicle, a possible \$2650 in expenses may be able to be moved out of this budget.

Mr. Foresto would like to see an analysis of how much time is spent on each inspection to show the need for an assistant. Mr. Fisher explained there is a BOH statute that requires each town keep an historic record of all activity on homes with septic systems. Mr. Fisher will provide a spreadsheet to Administrator Kennedy along with an updated budget.

A discussion took place as to how MUNIS would benefit this department.

Solid Waste-Bill Fisher (page 155)

A clarification discussion took place to explain budget line items which included other purchases, brush ash disposal and solid waste collection. Mr. Fisher explained the contract with American Waste cost was lower in '09 than in '08. Mr. Fisher explained that line items 5385, 5386, 5387 and 5388 will fall in line by the end of the year. Selectmen were concerned that budgeting was incorrect and that the tax payers were being charged more than necessary.

Mr. Fisher explained that by constructing a building on the landfill would enable the town to get more money for recycled items.

Selectmen asked the process for collecting money at the dump. Mr. Fisher explained approximately \$10k comes into the dump in fees each year. Selectmen reiterated that an audit of each department collecting cash be performed each year.

Selectman Espinosa requested a meeting with the Board of Health for a better understanding of time spent and the assistants need and role. Administrator Kennedy offered that Solid Waste is under the Town Administrator and due to the charter their only function is setting rates.

It was offered that any phone expense in these departments should be reviewed by the IT Director.

Department of Public Service-Dave D'Amico (page 74/74a)

A discussion took place regarding the increasing snow and ice budget and where to take the money from to cover the shortfalls. Selectmen will email Administrator Kennedy their individual desires for cuts. Selectman Foresto has kept notes on each budget during discussions and will arrange to meet with Administrator Kennedy to discuss, line by line.

The Mechanic covers maintenance on all town vehicles including the police department. Mr. D'Amico is working with a software program now to establish a vehicle maintenance plan/schedule for all vehicles.

Chairman Trindade asked if it might be more cost effective to contract with a local business to do this work instead of paying 2 employees, benefits and facility overhead etc. Mr. D'Amico doesn't believe so as Medway has a wide array of vehicles and one business may not be able to service all types of vehicles.

Mr. D'Amico explained that he has moved money around within his budgets to remain level budget. He has seen a 25% cut in energy and has moved a reduction in the cost of fuel funds to the road repair line item (page 76).

Selectmen asked for a priority road repair list and Mr. D'Amico explained that he will be going out for bid on asphalt in the next few weeks.

Eventually water/sewer will be moved into the DPS department and the budget will be rolled in with the year. The water master plan contract has not been approved yet.

The balance of Ch70 money is approximately \$300K, possibly another \$300K coming in. The need to repair sidewalks was mentioned. Mr. D'Amico explained that Ch70 money can't be used on sidewalk repair and also advised that you get a bigger bang for your buck repairing roads.

Ms. Dykema's office requested a list of shovel ready projects, which Mr. D'Amico forwarded along to her office. Selectman Crowley would like to see a list of projects sent.

Mr. D'Amico explained that the tree warden and tree work budget are separate and Chairman Trindade questioned if those services could be reviewed and possibly contracted with another local town (regionalize). Any other operations that could be regionalized should be looked at as well.

Administrative Secretary grade increase was at the request of the Town Administrator. (pg 75).

The highway barn was discussed. Bond Counsel wouldn't allow a bond for the study because the land is not owned by the town. Selectman Espinosa suggested putting together a building committee to look at the whole town. There has been no strategic planning. Perhaps a subcommittee under CIPC should be formed to look at just town buildings. Establish the committee now to do the planning, Mr. Crowley agreed.

Mr. D'Amico will look at a level service plus list of items and forward to the Administrator.

Water/Sewer Department-Mark Flaherty (Water page150 Sewer page 105)

This budget discussion is a precursor to the creation of an enterprise account which will be discussed at a workshop on March 2, 2009. This workshop will include: CRPCD, Water/Sewer Commission and BOS.

Debt service is not in this budget; \$92K will go from the general fund to the enterprise account, with the possibility of the amount increasing after the workshop on March 2, 2009. The enterprise account would need to be approved by Town Meeting.

The sewer budget should be revised to include the hourly rate for employees. Pursuant to the Consultant's suggestions an additional employee will be added to the sewer department only.

Whitewater is creating a staffing matrix for the water department and it may be useful for the creation of the sewer department matrix as well.

The water budget needs to be revised to include the hourly rate and since the water department is short one employee; this budget is requesting one additional person.

Administrator Kennedy will discuss indirect costs with Interim Town Account Carol Pratt as it appears that indirect costs are billed quarterly and not monthly.

Discussion on line items included:

Fuel and electric increases are across every department. Cell phones are for new employees. The Copying and Postage line item is for the CCR reports that are mandated to be mailed to each household. It was suggested that this be investigated to see if posting on the Town's website would qualify and save the Town money in this process. Munis did not include a module for the water department billing.

Mr. Flaherty explained that the Registrar prepares and mails the bills. Manually inputs the data from the water reads. Administrator Kennedy explained that new meter installation would aid in

that process as meters could be read from Town Hall and therefore eliminate the need for manual readings by employees at each household. There is a price tag of approximately \$1million. Selectman Foresto suggested an RFP for this improvement. Chairman Trindade would like to see a goal of 2 months set to find the equipment and contractor for this project. Selectman Espinosa believes that decisions on the tank needs to be in the forefront before water meters. Selectman Espinosa also suggested that the master plan and the Whitewater Management study will drive what the next steps should be. Administrator Kennedy has told Mr. Flaherty to keep the meter project on the ATM warrant and to start to establish the information necessary for the RFP.

Discussion took place regarding water runoff, retention and treatment at CRPCD.

Selectman Espinosa discussed maintenance and preventative planning and would like to see this worked into the future plans of Medway.

Mr. Flaherty explained that the reserve fund pays for budget shortfalls and breaks. Selectman Dunne thinks that is inappropriate.

Other topics discussed:

Selectman Crowley suggested the BOS pass on a discussion of the Tri-County budget presentation, Mr. Dunne agreed.

The Selectmen would like a brief presentation by the Medway School Committee regarding their budget on 2/26/09.

Budget discussions should be concluded by 3/5/09.

Selectmen Foresto and Crowley will put together “issue” notes taken during budget presentations. They will submit to Administrator Kennedy by Monday am and she will then present to BOS. Deadline to submit level service plus requests is Wednesday 2/25/09.

TRANE-Selectman Espinosa and Chairman Trindade had a discussion with Dr. Evans regarding the TRANE contract, Mr. Verdolino was not present, but they have been advised that he has sent out all of the information he has and has been inundated with requests for information.

Dr. Evans understands our concerns for the process and will speak with Selectman Crowley to convince him that going forward with TRANE is the right thing to do. She is aware that Selectman Crowley is our contract expert and she agrees to do more due diligence.

It was suggested that an independent consulting firm should confirm that this company is the right way to go. If voted in at STM then find a consultant, get TRANE ready to start, if consultant agrees go forward, if not then will hold off.

Legal ramifications on proceeding will need to be discussed with Town Counsel, perhaps a structured agreement between the SC and BOS needs to be drafted. A proposed motion was

submitted by Bond Counsel but it is unlikely an agreement will be written and signed by STM on Tuesday. Bond Counsel is aware of the limited time involved.

The agreement would require a subcommittee be formed; the committee would hire an energy management consultant and would review the financial aspects of the contract by Trane. The review would not exceed 4-6 weeks. If bond financing is not possible, Trane terms would be renegotiated. DOR should review the process. The subcommittee should include 2 members recommended by BOS, 2 recommended by the SC and 1 recommended by the Finance Committee. Administrator Kennedy will prepare with the specifics required for the agreement between the two committees. All agreed if the School Committee agrees to sign this agreement, they will recommend approval and/or a positive recommendation on Town Meeting floor.

There being no further business to discuss at 12:27pm, Selectman Foresto moved that the board adjourn regular session meeting; Selectman Dunne seconded; no discussion; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 23, 2009

Sanford Hall, Medway Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne, John Foresto, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Selectman Dennis Crowley

7:05 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

This is a regularly scheduled Board of Selectmen’s monthly meeting.

Public Comment: None

Authorization of the Chair to Execute Contract with Weston & Sampson for Comprehensive Water Master Plan

The revised price proposal dated February 2, 2009 was reviewed. Items discussed included water consumption and future projections, update GIS and mapping and hydraulic model update. The reduction in scope of services results in a reduction of 51 hours. The revised engineering labor cost for the Water System Master Plan is \$48,760 (a reduction of \$5,640).

Administrator Kennedy explained this is an appealing comprehensive proposal. Eight companies submitted proposals which were whittled down to three. Selectman Dunne, Selectman Espinosa, Mark Flaherty, Water Superintendent, Dave D’Amico, DPS Director and Administrator Kennedy reviewed the proposals. It was decided this is the best product that can be obtained at a competitive price.

Selectman Foresto moved that the board authorize the Chairman to execute the contract with Weston & Sampson for a Comprehensive Water Master Plan; Chairman Trindade seconded; no discussion; all ayes 4-0.

Authorization of Chairman to Sign Inter-Municipal Contract By and Between The Town of Medway and The Town of Franklin for Recreational Department Services.

This contract was authored by Town Counsel for Franklin, Mark Cerel and tweaked slightly. Franklin has offered some recreational programs to Medway residents, some will take place in Franklin and some will take place in Medway. Medway residents will be offered employment opportunities at the programs held in Medway.

Selectman Dunne moved that the board authorize the Chairman to sign an inter-municipal contract by and between the Town of Franklin and the Town of Medway for recreational services; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Warrants

Selectman Foresto read warrant #34P dated 2/26/09 totaling \$84,370.89.

Selectman Dunne moved that the board accept the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 4-0.

At this time the Board of Selectmen's meeting moved from Sanford Hall to the Medway High School where the Selectmen will join the Finance Committee and the School Committee who are already in the process of meeting.

7:35pm Medway High School Guidance Area, Mr. Crowley met the other Selectmen there.

This meeting was for the purpose of discussing the Trane Contract with members of the Finance Committee, the School Committee, Superintendent Dr. Evans, David Verdolino and Mark Cerel, Town Moderator. The meeting was already in progress when we arrived.

Dr. Evans explained that she believes it was with good faith that the SC and their energy contract committee followed the law and process in choosing the energy contract company, have done reference checks, have done due diligence and she is very sure there will be a savings. Ms. Trindade explained there were no minutes from the groups meetings or recordings, the group was not a sub-committee.

Since this was a Finance Committee meeting, FinCom members asked many questions that would be recorded in the FinCom meeting minutes.

Chairman Trindade spoke on behalf of the Selectmen. He acknowledged that all were in agreement that this is a good project, that the majority of the work proposed is to be done in places where work needs to be done. He believes that the Town needs to proceed by hiring an independent research company; the FinCom would fund the independent analysis so that everyone will be comfortable and will request that the research is done in a timely manner so that the project can proceed and be completed over the summer break.

Selectmen had questions regarding the legal process, if the contract could be renegotiated, if the project could begin after the May town meeting took place, and the ability to sever the contract if deemed necessary. Trane representatives explained the length of time necessary to order equipment and no real answers were obtained regarding the legal issues involved.

Administrator Kennedy sent the proposed agreement to Dr. Evans, who didn't receive it in time to forward to the School Committee. Administrator Kennedy advised those present that Town Counsel had reservations regarding the contract and she would forward her opinions to the Selectmen via email tomorrow.

Chairman Trindade advised that if the article doesn't pass at town meeting there would be a written agreement between the boards, acknowledging this will be top priority.

Chairman Trindade moved that the board agree to a seven member committee consisting of 3 selected by the BOS, 3 selected by the SC and 1 selected by the Fincom; Selectman Crowley seconded; no discussion; all ayes 5-0.

Some questions arose that the Selectmen would like Town Counsel to answer:

1. Is Dave Verdolino a legally approved signatory on contracts?

2. If TM approves bond financing and the committee doesn't want to go forward are we bound to the contract?
3. If passes and contract needs changes can the contract be changed through a contract amendment?

There being no further business to discuss at 9:29pm, Selectman Foresto moved that the board adjourn regular session meeting; Selectman Espinosa seconded; no discussion; 4-1 Selectman Dunne opposed.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

February 24, 2009

Medway Middle School 6:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

6:10 p.m. – Chairman Trindade called the Selectmen’s meeting to order in a Middle School classroom to discuss remaining articles that have not been recommended for the Special Town Meeting being held at 7:00pm in the Middle School Auditorium.

Rob Pomponio from the Historical Commission was present to discuss Article #17. The purpose of this article is to give the Historical Commission the time to review the demolition permits in a timely manner. Currently there is only 14 days allowed to review and they would like to change it to 60 days and have scheduled a public hearing to discuss and hear opinions from the taxpayers.

Selectman Crowley moved that the board support Article 17; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Mr. Pomponio gave an update on the Thayer House. There has been a company contracted to do some work which will begin in March. There was a CPC meeting held where discussions took place about Camp Sunshine and/or a Boys/Girls Club having access to Thayer House for programs. The '99 Master Plan noted the need for afterschool/teen center and the Boys/Girls Club is interested in working with Medway, with possibly a better use would be to use space in the Middle School for transportation purposes and Camp Sunshine at Thayer House.

Thayer House may have an annex building and/or CPC may be requesting proposals in the near future. The anchor donor was willing to donate for Camp Sunshine, Mr. Pomponio is not sure if they are still willing to donate. The anchor donor was willing to donate 50% and the Town would pay the rest, Selectman Crowley suggested there needs to be re-engagement of the BOS. Mr. Pomponio stated that the Historic Commission does have an interest in moving into the Thayer House space to store artifacts but is unsure of how their operating budget would be affected with regards to utilities and upkeep.

The landscaping is completed and it was suggested that an RFP go out for bid for the proposed usage of the property and/or possibly holding an open/public meeting to have the town decide what to do with it, similar to the 50 Winthrop Street public meeting.

BOS would like to visit the site and Mr. Pomponio will let Camp Sunshine know that there is still a possibility that they can use the space in the future.

Article 9

Article 9 was discussed. The BOS, SC and FinCom has agreed to move forward with proper due diligence and form a committee to move quickly to review the Trane contract, with the intent to present the article at a Special Town Meeting or Annual Town Meeting. It was also proposed not to move forward at this time.

Selectman Espinosa moved that the board dismiss Article 9; Selectman Dunne seconded; no discussion; all ayes 4-0 (Mr. Crowley left the meeting early).

Selectman Espinosa moved that the board adjourn regular session at 6:50pm; Selectman Foresto seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Board Secretary

*Approved 4/21/09

MEDWAY BOARD OF SELECTMEN

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

*Glenn Trindade, Chairman
Andrew Espinosa, Vice Chairman
Dennis Crowley, Clerk
John Foresto, Member
Richard Dunne, Member*

Board of Selectmen's Meeting

March 2, 2009, 7:00 PM

Sanford Hall, Town Hall, 155 Village Street

Agenda

7:00 PM

- Call to order; Recitation of the Pledge of Allegiance
- Public Comments

Other Business

1. Approval of Emergency Transfer Request for Trane ESCO Review and Independent Audit

Workshop: Sewer Rate Scenarios

Upcoming Meetings, Agenda and Reminders

- Monday, March 16, 2009-Regular Meeting
- Monday, April 6, 2009-Regular Meeting

Note: All times approximate and subject to change if necessary. Town Clerk: Please post.

MINUTES OF THE SELECTMEN MEETING FINAL

March 11, 2009

Sanford Hall, Medway Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: *Selectmen Richard Dunne and John Foresto*

7:00p.m. – The selectmen were present to present their budget to the Medway Finance Committee at their regularly scheduled meeting.

Chairman Trindade presented the BOS FY10 Budget, key areas included:

1. Maintain the number of employees and services providing this FY.
2. Include contractual increases, step increases and state mandates. With a key provision of assuming wage freezes for all municipal and school employees.
3. The removal of all non recurring expenses both municipal and school.
4. There will still be a shortfall after all of the above and \$140K will be moved from Free Cash, understanding this is not an ideal practice, but necessary given the financial situation of the town/state/country.

Chairman Trindade reviewed the Budget Highlights, reviewed FY10 Revenue Projections, reviewed significant changes from FY09 (Education, DPS and Library services), discussed what happens if the town does receive additional state aid. Postponing the Annual Town Meeting was mentioned as other local communities have begun that process. How to notify the taxpayers effectively was discussed. Administrator Kennedy explained that ATM must convene, but then could postpone to another date.

Dr. Evans, Superintendent, discussed her latest conversations regarding obtaining state aid. At a meeting with other superintendents there was a presentation by Secretary of Education, Paul Revell who explained that stimulus money in foundation aid will provide 153 towns (towns that have been under funded in Ch. 70 money in recent years) monies to become fully funded. She understands that Medway will receive \$1.6 million more in FY10 and similar funds in FY11. She has received no formal/paper with this information to date, but working diligently to obtaining something in writing.

Dave Verdolino, School Business Manager, was part of a telephone conference with Roger Hatch and Mr. Soloman, I.D.E.A. Spending and understands there will be an increase of \$671,000 for Medway in IDEA monies, which will be a permanent increase. Dr. Evans believes 50% of this money is fairly flexible as to what it can be spent on, while the other 50% is fixed.

This is a total of 2.2 Million more to Medway this year, these monies must be used within 27 months and Dr. Evans believes it should be used for non-recurring expenses. She also stated that she believes it should be used to enhance the Town and Schools in the IT departments and the like.

Chairman Trindade explained that there will be remainder Free Cash to be spent and he has asked CIPC to be prepared to present their list of recommendations in the coming weeks.

Selectman Crowley commended Dr. Evans for looking at non-recurring that would help the Town AND the Schools.

The Selectman's presentation ended at 7:50pm.

Respectfully submitted,
Wendy Harrington
Board Secretary

*Approved 4/21/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

March 16, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Selectmen Andrew Espinosa, Rich Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Chairman Glenn Trindade

The meeting was called to order at 7:05pm.

Public Comment: Larry Ellsworth, Vice Chair of the Finance Committee discussed the FinCom operating budget and offered that the salary line is under funded due to a pay rate change, a change in staff and an additional town meeting. The expense line for printing of the TM book will be higher this year as well.

Industrial Park Sewer Project Update-Dave Aimola, Project Manager

Mr. Aimola presented an update and reviewed the status of the project to date. The next quarterly review is scheduled for June.

In discussing finances, Mr. Aimola advised the Board that there is a service re-alignment due to the fact that the route to the pump station was relocated and put underground, which was not included in the budget. A budget number from NSTAR is expected this week. Tata & Howard has a number, but it is not finalized yet. Mr. Aimola is working to extend the CDAG and amendment to go beyond this fiscal year.

The worse case scenario would be to lose the state grant. State funding caused the delay in the MORE Grant. Mr. Aimola will know the affect this has caused in April. It was suggested that this item be put on an April agenda to discuss any funding issues. The documents are in place stating that the state was late in funding.

Completion of the project is expected to be on time and on budget.

Zoning Board Appointments-This item was held for a future agenda, as there has been no contact with Mr. Biocchi regarding his re appointment. Administrator Kennedy will contact the ZBA Chair.

Education Committee Appointment-Selectman Espinosa read a letter of interest from Heidi Anderson dated 1/21/09.

Selectman Dunne moved that the Board appoint Heidi Anderson to the Education Committee; Selectman Crowley seconded; no discussion; all ayes 3-0.

MIA Grant-Dave D'Amico, DPS Director-This is a \$400 grant that will pay for a roof inspection of town hall. A contractor will be brought in to inspect the roof, attic and rafters and will be asked to present solutions.

Selectman Dunne moved that the Board accept a grant for a roof inspection of town hall for \$400; Selectman Crowley seconded; all ayes 3-0.

Trench Permit Fee-Dave D'Amico-DPS Director-Mr. D'Amico recommends a fee of \$50, which is a reasonable fee. In the future Mr. D'Amico and Mr. Speroni (Building Inspector) will be the Trench fee setters, as they are the trench officers.

Selectman Dunne moved that the Board set a trench permit fee of \$50 per permit, as recommended by the trench officers. Selectman Crowley seconded; all ayes 3-0.

State 911 Training Grant Program and State 911 Dept. Support and Incentive Grant Expenditures-Chief Tingley-This grant will pay \$5000 for overtime training of the part time employees. The support and incentive grant will pay \$21,953 towards personnel and equipment purchases. The \$5000 grant was received last year, but the \$21,953 is a new grant received in Medway this year.

Selectman Dunne moved that the Board accept two grants (\$5000 and \$21,953); Selectman Espinosa seconded; Discussion: Congratulations Lt. Boultenhouse; all ayes 3-0.

Firefighter Equipment and Student Awareness of Fire Safety Program Grant-Chief Trufant-These are the second and third grants received by the Fire Department this year. These have both been received in the past and have been used to purchase new equipment (i.e. Hoses, radios and radio support).

Selectman Dunne moved that the Board accept two grants (\$5296 and \$3665) for fire equipment and fire safety programs; Selectman Crowley seconded; no discussion; all ayes 3-0.

Administrator Kennedy acknowledged Chief Paul Trufant as he accepts the position of Permanent Fire Chief effective today March 16, 2009. A ceremony will be held on March 17, 2009 at 6:30pm at the fire station. She thanked Chief Trufant for his tremendous impact on morale and the great changes he has made thus far.

Yard Sale Purrfect Cat Shelter, Inc-Purrfect Cat Shelter requested a yard sale permit for June 6, 2009 with a rain date of June 7, 2009. The staff and police chief have signed off on this event.

Selectman Dunne moved that the Board approve the permit for a yard sale to Purrfect Cat Shelter, Inc on 6/6/09 with a rain date of 6/7/09; Selectman Espinosa seconded; discussion: none; all ayes 3-0.

T.A.P Enterprises Transient Vendor License

TAP Enterprises will hold a 2-day tool and general merchandise sale on March 28 and 29th at the American Legion. They are seeking approval for this event. A \$50 fee has been charged.

Selectman Dunne moved that the Board approve the transient vendor license to T.A.P. Enterprises for a tool and merchandise two day sale at the Medway American Legion on March 28 and 29th, this event is open to the public; Selectman Crowley seconded; no discussion; all ayes 3-0,

A discussion took place regarding closing the Annual Town Meeting Warrant. Administrator Kennedy explained that the ATM would close next week, which falls in line with the Charter and the publication of the Warrant book that is mailed to each household.

ATM is scheduled for 5/11/09, as the budget must be adopted by 6/30/09. It was briefly discussed that the ATM may be postponed until later in May or early June.

A discussion took place regarding the warrant articles. Each article was explained. This was for informational purposes only; no votes were taken. Articles will be voted on when a full board is present.

Selectman Foresto joined the meeting at 9:10pm.

Planning Board members Susy Affleck-Childs and Andy Rodenhiser presented articles 21-32.

Selectman Crowley moved that the Board extend beyond 10pm; Selectman Dunne seconded; no discussion; all ayes 4-0 (Mr. Foresto had arrived).

Warrants

Warrant #11 and #37 3/19/09

Town Bills \$269,974.97

Gross Payroll Town \$81,849.75

Gross Payroll School \$746,667.17

Total \$1,098,491.89

Selectman Foresto moved that the Board accept the Warrants as read; Selectman Dunne seconded; no discussion; all ayes 4-0.

Minutes

Selectman Dunne moved that the Board approve the 10/20/08 meeting minutes; Selectman Crowley seconded; no discussion; all ayes 4-0.

Selectman Crowley moved that the Board approve the 10/27/08 meeting minutes; Selectman Dunne seconded; no discussion; all ayes 4-0.

Selectman Dunne moved that the Board approve the 11/3/08 meeting minutes; Selectman Crowley seconded; no discussion; all ayes 4-0.

Selectman Dunne moved that the Board approve the 11/8/08 meeting minutes as amended; Selectman Crowley seconded; no discussion; all ayes 4-0.

Selectman Foresto moved that the Board approve the 11/10/09 Discussion on the Budget Policy Statement meeting minutes; Selectman Dunne seconded; no discussion; all ayes 3-0 (Selectman Crowley was not present)

11/17/08 Minutes were held, as there was no quorum to vote this evening.

Selectman Crowley moved that the Board approve the 12/1/08 Joint Meeting minutes; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Crowley moved that the Board approve the 12/1/08 Selectmen's Meeting minutes; Selectman Foresto seconded; no discussion; all ayes 4-0.

12/15/08 Meeting minutes were held for another meeting.

Town Administrator's Report

Administrator Kennedy explained that Chris Woodcock would be present at the next meeting to discuss betterments and as they pertain to the sewer extension project. A definite amount has not been set, but a cap of not to exceed \$12,000 has been set.

The FY2010 Budget Wish List has not been reviewed to date. Administrator Kennedy suggested another meeting be scheduled for the review of this list.

There will be a meeting with the Finance Committee on Saturday March 28, 2009 at 8:30am.

A staff meeting was held on March 9, 2009 with 3 municipal unions present. A wage freeze was suggested. The unions are anxious to support the town because of their desire to preserve core services and jobs. No affirmative commitment from the unions unless all unions in town take the same position.

Selectmen's Reports

Selectman Foresto-The ESCO panel has met eight or nine times in the last two weeks. An RFP for a consultant went out. The panel has interviewed five consultants and has made a decision on one consultant this evening. A mission statement has been completed. The consultant will perform the required requests within the next three weeks.

The meetings have been recorded, but not aired. Minutes have been taken, approved and will be posted March 17, 2009. This panel consists of the Chair, Shelley Wieler and 6 other members.

Selectman Foresto wanted to ensure that the SCADA contract is on the March 23, 2009 agenda and that the Water Master plan contract has begun.

Selectman Foresto and Administrator Kennedy have a meeting scheduled with Comcast to discuss terms. An update will be available at the next meeting. There are 3 outstanding issues: 1. Payment beyond the last 18 months 2. A tenant on town property without a contract and 3. Payment at the new high school.

Selectman Dunne-Mr. Dunne has been discussing regionalization with the Library Board of Trustees. Mr. Dunne received an email from the Library Trustees Chair and she is unhappy with the process and offered there is a lot of work to be done. Administrator Kennedy and Nutting will be working to resolve any issues.

Administrator Kennedy offered that Ms. Rowe and the Library Director of Franklin would be meeting again to discuss hours of operations and the topic will then be discussed with the Library Trustees again.

Selectman Espinosa-Nothing to report at this time.

Selectman Crowley-Would like to have the historic commission present for the 3/23/09 meeting to discuss the Thayer property and Camp Sunshine. Mr. Crowley would also like the land sale item be placed on the next agenda to be discussed in Executive Session.

At 10:50pm, Selectman Foresto moved that the regular session meeting adjourn; Selectman Dunne seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 6/1/09

MINUTES OF THE SELECTMEN MEETING FINAL

March 3, 2009

Medway Public Library 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

The Selectmen were present with various Library Board of Trustees from Medway (Wendy Rowe, Bill Roberts, Mary Ann Cabibbo, Chuck Rockwood and Meena Jain) and Franklin and the Acting Library Director to discuss possible regionalization with the Town of Franklin Library. Franklin Town Administrator Nutting and Library Director, Felicia Oti was also present.

This Selectmen's meeting was posted to take place at the Medway Senior Center. On Monday March 2, 2009 during a Selectmen's meeting, it was determined that the Selectmen would attend the Library Trustees meeting on Tuesday March 3, 2009. On Tuesday evening, Allison Potter, Assistant to the Town Administrator posted a meeting location change notice on the door of the Senior Center advising residents of the location change.

The Selectmen's reporting secretary was not present until 7:50pm. The meeting was recorded with the secretary's personal recording device.

Administrator Nutting began by explaining that Franklin is experiencing difficult financial times and it might be of interest to share Library Director's/services, as Medway does not currently have a paid Director. Some library services, including hours and staff are likely to be cut due to budget restraints and regionalizing with Medway may be a win/win for both Medway and Franklin. This meeting is to discuss some of the options, including sharing a director in the near future and other services going forward.

Regionalization is a whole new world and hard to jump right in, so discussing is the way to begin. Medway will be regionalizing recreation services with Franklin in the next few weeks. Franklin would like to consider trying an arrangement for a year while sharing hours/days so that both communities can get the same services and share the network, and extending if the arrangement works out. This would be accomplished with an inter-municipal agreement, with a TBD length of time.

Franklin may need to obtain a waiver for certification, because they won't be open the required number of hours. A waiver may be needed if neither town is certified and the regionalization wants to be certified. Administrator Nutting has discussed the waiver situation with the Governor and he is in agreement. They are interested in sharing expenses and having Medway pay a portion of the Franklin Library Director's salary.

Franklin is planning to be open 4 days a week or 32 hours and both the Franklin Director and Medway's acting director have discussed Medway being open 16 hours, but that would depend on the number of hours Medway is willing to pay for the Franklin Director's services.

Ms Cabibbo, Library Trustee, offered that she doesn't think it makes sense to pay more salary for a Director when an entry level director could be hired for Medway at a lower pay scale, somewhere around \$27.00 an hour.

Selectman Crowley offered that it may make sense to have two facilities open a total of 60 hours shared, while Selectman Dunne offered that the hours shouldn't overlap, having each library open something like 32 hours each. It was mentioned that the Library Trustees may want some overlap in hours for a combined total of 64 hours.

Ms. Rowe believes that Medway is on the right path for certification in November and believes that the Trustees would consider opening when Franklin is closed, to help Franklin out, if the regionalization does not go forward.

Administrator Kennedy explained that as time goes on, this is just the beginning in these economic hard times. Issues that are arising are how sustainable is our town's government and one way of looking at this may not be as beneficial and as time goes on resources may not be available, the future is the issue, not just next year.

Administrator Nutting sees the future as regionalized library boards for multiple towns, and this form of government won't last as we go forward, as towns can't keep increasing property taxes, we need to be more like other parts of the country.

Selectman Foresto explained that we need to manage change, start doing a better job now for the future. Answer these questions: what are the advantages for this process, what opportunities do you see for the people of our town.

Ms. Cabibbo wondered if it made sense to regionalize but Medway hire their own director, Medway would be spending less money and explained she's not seeing the benefit to Medway.

Selectman Espinosa suggested that the group look at the synergy, is there synergy? Is there the ability to look at things that are not available that could be available? If no, then it doesn't make sense. If satisfied with 6 days with fewer hours, or more hours, and access to other technology, if things can build on as a group vs. maintaining the level of service now not knowing whether can sustain that. Those are the questions that need to be asked. How do we build a future using regionalization?

Ms. Cabibbo explained that we're still talking about two separate buildings that have to be maintained. Technology, can't tie everything in together. All sounds very good if all can be coordinated, but she doesn't want to stay the way we are because it's lacking and she believes everything proposed is going to cost money, more money.

Selectman Espinosa believes there is a viable solution, with maximum service for the money and hopefully we're able to come up with a solution to do that. The Selectmen are more apt to move to that direction instead of status quo.

Selectman Dunne offered this regionalization is going to cost less money. Medway may put in \$250k to get where we want to go, at present vs. if really want to get where we should be it's going to be at \$500K. We're going to get at least 64 hours that Medway residents will get to use a library vs. 32 hours.

Selectman's recording secretary arrived at 7:50pm.

Chairman Trindade offered: unlike Franklin depending on what happens with Stimulus \$ for Ch70 we could be in a very different situation, could have a surplus instead of a shortfall. What do we do with that money? Do we hire a lot of staff, and fully fund the library? The problem is getting the stimulus money as part of a formula that ends next after year and no guarantee what happens with that money and formula next year. Now we have to manage those cuts, how responsible is it to hire people that you may have to cut next year?

Medway has Free Cash, but do you use it for operating? If you talk to the DOR and The Association of Fincom members, they say that it's crazy to do that, that's in our history and we don't want to repeat history. How do we move to a library that is open and has programs for residents, not seeing how to do it on our own? We have had this discussion with state legislature and talked about Millis. They have money that the state appropriated for their library. What's the chance of getting a debt exclusion or an over ride to pay to build a new library? The state is holding up the money. There are libraries that are open that the state won't put money into. The state isn't going to be that dumb forever.

Do we want to drive it, Chairman Trindade firmly believes that communities like ours that take leadership are going to be rewarded by the state in the form of grants, and we'll be at top of the list.

We need to look at the future, what this could be, what would the advantage be for our kids. The library isn't just about books; it's a community center, its meeting rooms and tutoring rooms too.

How do we make this work?

Selectman Crowley suggested a cost benefit analysis be prepared.

Ms. Rowe offered: In the first year it's going to cost more. Medway can't hire a director for more than 19 hours because we are not going to pay benefits. Must hire part time before July 1 or will not become certified.

Selectman Crowley asked if a 19 hr part time director is hired by 7/1 is it 100% guaranteed that Medway will become recertified. Ms. Rowe explained that nothing is guaranteed.

Selectman Espinosa explained that it is hard to understand hiring a 19 hour part time person, at an entry level vs. helping to support a full time director. He thinks we should always be looking for the highest level person we can find. Ms. Rowe explained that it may be possible to find someone that already works as a PT library director in another town who may be looking to add more hours or another position.

Administrator Nutting explained that Library Director Felicia Oti has a PhD. Franklin is still paying at the bottom of the barrel, most directors are making \$90-95K, and Franklin is paying \$78K. He also explained he has been in this business for 30 years and it's changing. It's not going back to the way it was. Three years from now you could be sitting here having the same discussion. Mr. Nutting's vision is having 1 director with a few libraries under them, splitting the cost of the expertise. At the end you have a better product, it may cost more, but not that much difference incrementally. Regionalization doesn't work in this part of the country because towns look at the initial isn't a win/win. The world is changing. Franklin is looking to do more with different communities. No one wants to dance.

Selectman Espinosa explained that Medway is open to the ability to be open more hours and a shared director ship and hire an assistant director, we should try to move forward, not trying to just maintain the status quo to try to improve.

How can we do this so that it makes sense fiscally? It's the library board of trustees that need to make this decision. This is something that you grow into.

If a regionalized program Medway/Franklin residents, if marketed correctly both communities would be more willing to share the programs, if both certified, both tend to keep to themselves, with a river between them. One building could be the center for one age group, the other, another age group. How to merge over time to move the facilities together can be answered down the road. There is a possibility of merging maintenance and custodial services for the two facilities as well.

How to best serve the mission and the people of the communities should be top priority. How to make sense of sharing the staff, and how to make it work should be the overall goal. Showing leadership in this endeavor could make us a model for other communities in the state.

Ms. Cabibbo questioned what if Medway can't pay their share of the deal and still doesn't think there is any difference in being regionalized vs. being recertified. If not enough money to sustain what we have now, how are we going to pay Franklin if we get less money in 2011 and 2012?

Chairman Trindade is concerned that Minuteman isn't going to continue forever and that there will be changes.

Libraries are not the only regionalization area that incentives are available for throughout the community.

A question was raised regarding funding. The library will require more funding in the first year and how will that funding be sustained for level service over the next three years as the economy

is not likely to improve in that time period. Chapter 70 money may change in formula resulting in less aid to towns. The key is how to sustain what we have now over the next few years.

The Selectmen are scheduled to meet with the Finance Committee on March 11, 2009 a \$1 Million shortfall, a wage freeze, and to work through how much Free Cash can be spent to maintain core services.

There is hope for Chapter 70 money coming to Medway, as Medway is in a better situation with Chapter 70 monies than most area communities.

Felicia Oti, Library Director, Town of Franklin asked that the Town and the Library Trustees to ask themselves if this transaction makes sense. Look to the future. Franklin Library has other Medias that Medway does not have available, a very strong collection of books, games, music and a music data base. She asks the Trustees to think about grants. Currently Medway is looking to hire an employee to write grants. Franklin has a staff person already that writes at least one grant annually.

Felicia explained that the Trustees may not see the benefits immediately, but she wants to work together and she believes that if these two libraries take the leadership on this endeavor all will be proud of the outcome in the future.

Selectman Espinosa had to leave the meeting at 8:00pm.

Franklin has a lot of technical expertise available to their town in their IT department, as well as a hiring manager, which services both the town and schools.

Medway has an IT Director who is responsible for all Town Departments including: police, fire, library, senior center, school and town.

Ms. Rowe explained that the Mr. Boucher, the IT Director for the Town of Medway, has not, to date, been in touch with the library.

Chairman Trindade would like the Library Trustees to consider what could be and hopes they would like to pursue this endeavor.

Selectman Crowley asked for some direction over the next few weeks as to how the library would like to proceed.

Ms.Cabibbo explained that more money is needed for a library director and a must if Medway wants to receive certification.

Chairman Trindade wanted to ensure it is worth having these discussions as the Selectmen believe it's a good idea and advised the trustees if they are interested, Medway will move forward to negotiate.

Selectman Crowley offered that he is more inclined to fund the regionalization than he is inclined to fund a director. This he offered as his own opinion, not the opinion of the Board.

Selectman Foresto asked how to make this happen; it's an opportunity, with a lot of potential that should be considered.

The Selectman left the Library Trustees meeting that was still in progress at 8:10pm.

At 8:15 Chairman Trindade moved that the board adjourn the meeting for the evening, Selectman Crowley seconded; no discussion; all ayes 4-0(Selectman Espinosa had left earlier)

Respectfully submitted,
Wendy Harrington
Executive Assistant

*Approved 4/21/09

MINUTES OF THE SELECTMEN MEETING FINAL

March 4, 2009

Medway Senior Center 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne and John Foresto, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Guests: Carol Pratt, Interim Town Accountant and Melanie Phillips, Treasurer Collector

Absent:

7:05p.m. – Chairman Trindade called the Selectmen's meeting to order in the Medway Senior Center

The WhiteWater Water Department Study was discussed and Administrator Kennedy explained some of the issues that have arisen including a panel at the Populatic Well that overheats and it is believed that if/when the panel overheats the well shuts down. More detail on this issue and other questions need to be asked of the Water Department.

The Selectmen were in agreement that they don't want to be held responsible, along with the Town Administrator for the years of mismanagement.

The Selectmen would like an executive, non political summary written that explains what's wrong which includes a list of items needing to be addressed in order of priority. Selectman Crowley asked that the first page be an executive overview.

Selectman Crowley believes there is a safety concern with the chemical mixing and believes there is liability involved and wants to take action immediately, once the executive summary is presented.

Administrator Kennedy will look at all the variables and will report back with a recommendation in two weeks and is aware that liability is of great importance in this situation.

BUDGET DISCUSSION:

Chairman Trindade read an email received from Wendy Rowe and the Library Trustees. Discussion on this topic was postponed until later in the process.

Interim Town Accountant Carol Pratt reviewed FY09 Actual Budget and FY10 Requested Budget dated 3/4/09, page 2 summary as it stands today. This document has been modified due to salary increases approved at Special Town Meeting. This is a level service budget which used budgets submitted, salaries and utilities, etc.

FY10 Request Budget Modification dated 3/4/09 was also reviewed. There has been a change in revenues due to the Sewer Enterprise Fund. A discussion took place on moving the IT department budget from the School to the Town and how it would affect the per pupil ratios.

Interim Accountant Pratt explained an agreement would be needed between the Town and School given certain scenarios and it was decided to keep the 2/9/09 rendition and remove salary for the IT Director only.

Selectman Espinosa clarified this discussion is on a level service budget with increase to fund legal and step increases which assumes wage freeze on any/all employees and move shortage from Free Cash. The School assumes \$300K in step increases and will take out the rest of the increases to level service.

Selectman Espinosa read:

The Board of Selectmen puts forth a level service budget which provides increase funding for legal obligations (step increases or contractual). This budget assumes a wage freeze for both Town and School personnel and uses Free Cash to cover any shortage, assume no stimulus money is obtained.

There is an approximate deficit of \$300K which could be used from Free Cash to fill the budget gap.

If stimulus money comes through wage increases could be funded and snow and ice can come out of Free Cash.

Administrator Kennedy doesn't believe this is the best scenario. She feels that if there is no pay increases this year the Town will pay for it next year.

Chairman Trindade would like to have an agreement from each union to a wage freeze because without the wage freeze there will be layoffs and the Selectmen are trying to keep core services and the people we have.

Administrator Kennedy believes if money is being put into salary reserve then a wage freeze is a good idea. She has a meeting with unions on Monday to discuss a wage freeze and will get an opinion from Mark Terry, Labor Counsel on this matter.

Discussions took place regarding possible changes to the budget and/or to answer questions have Selectmen have brought up regarding certain line items:

- There was a discussion on a \$235,172 nonrecurring expense in the school budget, which was agreed upon by Dr. Grandmont, this should not be in this budget and has been removed from the School budget. Chairman Trindade was very opposed to removing this amount and explained if it was his choice to make, he would choose to support the school.

An informal vote was taken and was 4-1 to remove, Chairman Trindade was opposed to removing \$235,172 from the school budget.

- Moving \$14,700 from the Selectmen's Long Term Disability line item to HR and also pre employment physical line item.
- Leaving \$5000 in the salary line of Town Accountant to tag with Ms. Pratt's certification.

- Would like to run Vadar and Munis in parallel, but the Vadar contract ends 6/30/09. This will need to be addressed.
- Town Clerk revision as the Town Clerk missed her assistants step raise two years in a row. That line item has been adjusted.
- Police education line item of \$5000 has been moved to HR.
- Road repair expenses have reduced by \$1455
- Salary reserve \$110K was eliminated.
- Increase Snow and Ice by \$95,000 to help fund properly, find out rolling average from Dave D'Amico and adjust.
- Sewer-reducing by adding Enterprise
- Fire and Police-salary reductions from requested
- Fire-electric/heat reduction of \$2000
- Tri County-reduce by \$19K
- Building Insp-reduce by \$1200
- Board of Health-reduce \$2350 for travel, Administrator Kennedy wants to continue to look at the \$14,587 sanitation figure.
- Veteran's Service agent-reduce by \$154
- Council on Aging-look at Education and Dues
- Library-add 16 hours to the budget-Held for discussion 3/5/09
- Camp Sunshine-Chairman Trindade will clarify with Dr. Evans why this is under Health and Human Services and not the school.
- Ambulance Enterprise-leave alone
- Sewer-an old sewer debt that would go into the Enterprise Fund- Treasurer/Collector Phillips explained that old debt should go into Enterprise so you can see the debt at the end of the year and that goes to the tax levy. It is the best method of accounting.

At 9:52pm Chairman Trindade moved that the Board adjourn for the evening; Selectman Crowley seconded; no discussion; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant

*Approved 4/21/09

MINUTES OF THE SELECTMEN MEETING FINAL

April 6, 2009

Sanford Hall, Medway Town Hall 7:00pm

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Richard Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

7:06p.m. the meeting was called to order.

Public Comment:

David Newton, 5 Rob Way, was present to address the Board on issues regarding the Sewer Extension project and as it pertains to the easements and their appraised values. Mr. Newton received a call from Town Counsel who addressed Mr. Newton's questions and explained that there are multi easements already on Rob Way.

Mr. Newton explained that he was not satisfied with Town Counsel's explanation and would like to know the next step to take. He was told that two appraisals were obtained and he would like to explore those appraisals with a more in depth review. Mr. Newton provided a spreadsheet to the Board for their review of the other values per square foot that other residents were paid.

Administrator Kennedy was not familiar with the information Mr. Newton presented and explained she didn't know enough about the situation to comment and would need to discuss with the Board in executive session.

Selectman Crowley advised that he will discuss with the Board in executive session and get back to Mr. Newton this week and provide him with the next step and with whatever information he can at that point.

It was explained that the Water/Sewer Commission has the appraisals and will have to get them from the Commission.

Mr. Newton was advised that there would be a need to discuss with Town Counsel as to the appropriateness of turning over copies of the appraisals to Mr. Newton.

Mr. Newton explained for the record that Rob Way is a disaster area. Vehicles couldn't get out during construction and more importantly, emergency vehicles couldn't get in. Mr. Newton made arrangements with the Police, Fire and contractor to use the rail bed for access and that didn't happen. Three households were without town water over night.

Administrator Kennedy explained she could not comment on the arrangements mentioned as they were not brought to her attention.

Introduction of Erin Medeiros – Assistant Town Accountant

Carol Pratt, Interim Town Account, introduced Erin Medeiros to the Selectmen. Ms. Pratt and Administrator Kennedy believe that Ms. Medeiros' background in accounting is a good fit for this position.

ZBA Appointment – Anthony Biocchi

Mr. Biocchi is up for re-appointment to the ZBA. He has been volunteering with the ZBA for seven years and enjoys the involvement.

Selectman Dunne moved that the Board re-appoint Mr. Biocchi for a three year term to the Zoning Board of Appeals; Selectman Foresto seconded; no discussion; all ayes 5-0.

Sewer Extension Project Update – Dave Aimola

Mr. Biocchi from the Conservation Commission and Dave Aimola were present to discuss the status of the sewer extension project. Mr. Aimola explained that they are currently at Robb Way and a lot of rock was missed with the probe that was done every 20 feet before the job began. The project is moving approximately 30 feet a day, which is slow as 160 feet a day is the norm. They are hoping to be out of the ledge area in another 100 feet. Once completed the contractor will come back and clean up the area. A water issue was mentioned which Mr. Aimola was unaware of. There was discussion regarding replacing a steel water main with 2" PVC.

Mr. Aimola explained that neither he nor Administrator Kennedy was made aware of any water outages over night. Mr. Aimola explained that the contractor has been very responsive and he finds it odd that he didn't know there were overnight outages.

The job is close to 50% completed and should be finished mid-summer.

Mr. Aimola explained the original budget was an estimate, the job is running to plan with the exception of over run on rock.

The Board reviewed expenses to date. Mr. Aimola believes the Board should not be concerned with the finances at this point. Mr. Crowley asked that the probes be closer together for the next phase so that problem areas will be identified.

Mr. Espinosa would like to see a timeline of where the job is at 50% completion and the expense numbers as well.

Mr. Aimola explained that there may be extras for overlay paving, which is the correct way to finish the job. Mr. Crowley suggested that it may be cheaper to do the paving under the Town's contract instead of through the contractor. Town Counsel will have to check to see if that is possible.

ConCom issues with the Sewer Extension Project

Mr. Biocchi and Brian Snow were present to discuss on behalf of the Conservation Commission. Mr. Biocchi explained that there have been issues raised by the Conservation Commission regarding the vernal pools. The issues were presented to the Contractor and Mr. Biocchi explained the issues were addressed by 10am the next morning. Mr. Biocchi was happy with the response. Any/all remaining issues were addressed with the contractor this morning. Mr.

Biocchi explained that the contractor was responsive and told him that he wants to resolve any/all issues. Mr. Biocchi will assist the contractor in resolving all issues.

It was explained that Medway has no conservation agent to police and enforce. Mr. Espinosa believes that is a huge issue. Chairman Trindade explained there is no money in the budget for this expense, but discussions on sharing with another town are possible. Mr. Biocchi agreed that he will volunteer to get all these issues resolved and work with Mr. Aimola and the contractor.

This issue will be addressed for an update at the next Selectmen's meeting.

Consideration of Deed Acceptance – Parcel A of the Meadows Subdivision

Ms. Affleck-Childs, Planning Board, Brian Snow and Anthony Biocchi were present to discuss. In February 2009 ConCom agreed to accept the parcel, the next step is for the Selectmen to accept.

In 1998 the subdivision was proposed to the Planning Board. This subdivision had a parcel of land donated for open space. If accepted the land it would be under the control of the ConCom as it is not buildable with 85% of the parcel being wetlands.

Selectman Dunne moved that the Board approve Parcel A of the Meadows Subdivision; Selectman Foresto seconded; no discussion; all ayes 5-0.

Approval – Emergency Transfer Request – Shaw Street Tree Removal

Dave D'Amico, DPS Director was present to discuss. This ETR is for \$5000 for tree removal.

Selectman Dunne moved that the Board approve the Emergency Transfer Request for tree removal on Shaw Street, not to exceed \$5000; Selectman Crowley seconded; no discussion; all ayes 5-0.

Mr. D'Amico is meeting with engineers regarding fixing the road with a price quote anticipated in a few weeks. He suggested this may be an item to place on the warrant.

Authorization of Chair to Execute Contract with Lantern Light & Electric, Inc.

Mr. D'Amico explained that the Town does not have a plumber or electrician on staff. This is for a contract renewal and is anticipating approximately \$5000 per year in expenses.

Selectman Foresto moved that the Board authorize the Chair to execute a contract with Lantern Light & Electric, Inc; Selectman Dunne seconded; no discussion; all ayes 5-0. Mr. Foresto asked if these services were combined with the Schools would there be enough work for a permanent position. Mr. D'Amico was unsure of the volume of work required by the school department.

Authorization of Chair to Execute Contract with James Coakley Plumbing, Inc.

Selectman Foresto moved that the Board authorize the Chair to execute a contract with James Coakley Plumbing, Inc.; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Approval of Special Event/Parade Permit – Purr-fect Cat Shelter 3rd Annual Ride

Selectman Espinosa moved that Board approve the Purr-fect Cat Shelter parade route for the 3rd annual ride Sunday May 17, 2009; Selectman Dunne seconded; no discussion; all ayes 5-0.

Comcast Discussion

Selectman Foresto advised that this issue will be discussed at a future meeting. There is a meeting scheduled with Comcast for this week. Mr. Foresto is on top of these issues.

Warrants

Warrant #40 April 9, 2009. Town bills \$73,373.63, School bills \$227,406.97. Gross payroll town \$96,823.84 Total \$397,604.47.

Selectman Dunne moved that the Board approve the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Minutes- Regular Session

Selectman Dunne moved that the Board approve the 12/15/08 minutes as amended; Chairman Trindade seconded; no discussion; all ayes 5-0.

Selectman Espinosa moved that the Board approve the 1/5/09 minutes as amended; Chairman Trindade seconded; no discussion; 4-0 (Selectman Dunne was not present 1/5/09).

Selectman Crowley moved that the Board approve the 1/14/09 minutes as amended; Chairman Trindade seconded; no discussion; 5-0.

Held 1/20/09 minutes

Town Administrator's Report

ATM will be postponed

Finance Committee Public Hearing will be held on May 6, 2009. There is no stimulus money amount available yet and there is no need to discuss until there is a number available.

It was agreed there will be a meeting April 13, 2009 at 7pm to discuss level service plus, minutes, budget and forecast.

Selectmen's Reports

Selectman Foresto-There is no formal report regarding Trane, nothing has been voted on. An 8 hour walk through took place with members of the ESCO committee and Trane reps. A meeting took place today for fact gathering with Trane and some committee members and there is significant issue with unit ventilators. Selectman Foresto updated the Selectmen on other issues being worked out on the project.

Selectman Crowley- Selectman Crowley asked if there has been any dialog regarding payment/terms etc. Selectman Foresto explained that they are letting the consultant handle those discussions with Trane. Trane will be asking for a notice to proceed. The Committee is still looking to negotiate the contract.

Selectman Dunne- Selectman Dunne commended the recreation department from Franklin and the Parks Department for a nice job in combining some services. He explained that the library is

still working with Franklin to move forward and he believes all will work out nicely for both communities. Mr. Dunne also addressed the proposed time change for the K-4 schools and explained that if it passes it will affect approximately 1000 families. He explained there will be a survey going out to families and that this is a work in process.

Selectman Espinosa-Mr. Espinosa would like the status from WhiteWater and their report. He would like the issues addressed in a final draft. Administrator Kennedy explained she is working on obtaining the final draft. She explained that a safety program has been implemented and a logging of daily work has begun. She will push to obtain the final report for the 4/21 meeting.

Discussion – Amendment to General Bylaws, Section 2.6

Town Counsel was present to discuss a bylaw change to pay any settlement of a claim over \$1000 and she suggested a change to \$5000. This would allow for a settlement of small claims with residents for up to \$5000. Selectman Dunne suggested the change should be not to exceed \$10,000. The warrant article will be changed accordingly.

At 8:57pm Chairman Trindade moved that the regular session meeting be adjourned and the Selectmen enter into Executive Session with no intent to return to open session for reason number three “To discuss strategy with respect to collective bargaining or litigation...”
Selectman Foresto seconded; Roll call vote: Espinosa-aye; Crowley-aye; Trindade-aye; Dunne-aye; Foresto-aye; all ayes 5-0

Respectfully submitted,
Wendy Harrington
Executive Assistant

*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

April 21, 2009 7:00 pm
Sanford Hall, Medway Town Hall

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Rich Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Selectman Foresto was absent for the first part of the meeting.

The meeting was called to order at 7:06pm

Public Comment: None

Insurance Advisory-Sue Ellis, HR Director has engaged the services of EBS an independent consulting firm, working for the Town, to look at competitive insurance proposals for town, school and retired employees. The Selectmen reviewed a letter from the chair of the Insurance Advisory Committee (IAC), Sandy Giardino, which recommended a new vendor. The IAC is comprised of various town, school and retired employees. The proposal from the IAC was substantial and recommended converting from MIIA to Harvard Pilgrim. The change to Harvard Pilgrim would save \$60K and save another \$50K in the Medicare part D.

Ken Lombardi, EBS, which gave a comparison of the MIIA and Harvard Pilgrim's plans, presented a handout. After an independent review, the proposed rate increase from MIIA was somewhat unjustified. EBS looked at a few vendors, in the top 10 MIIA was high, and came down on their rates after they were questioned. EBS then went to the other carriers for their proposal and Harvard was the best. The seniors get a better break with Harvard. Harvard has a duplicate benefit plan with some enhancements in their drug plan, dependent age and vision care plan. All major Boston facilities/hospitals are covered with all of the same doctors etc as Blue Cross Blue Shield. There will be no issues/penalties with pre existing conditions. The IAC worked hard to find the savings and expanded insurance plans.

Administrator Kennedy is seeking the Selectmen's approval of the proposal. The rates are locked in for 1 year, with the only downside of changing over the plans and the paper work involved.

The enrollment data/paperwork needs to be completed timely with the first payment due in June or July. Employees shouldn't feel any change at all.

Selectman Dunne moved that the Board approve the recommended change from MIIA to Harvard Pilgrim; Selectman Espinosa seconded; no discussion; all ayes 4-0. (Mr. Foresto had not yet arrived)

Request to move the Farmer's Market to 2B Oak Street- Missy Dzizcek, Parks Commissioner

The Parks Commission has requested the relocation of the summer Farmers Market from Choate Park to 2B Oak Street. After a \$200K grant has been used to improve 2B Oak Street the property is looking beautiful and the grant helped immensely. There will be a summer camp held at Choate Park until 4pm each day and a concern for parking, farmer's vehicles and the like were considered. There is ample parking at Choate Park and at 2B Oak Street, with parking having been recently added. The Selectmen were concerned with vehicles and wants to ensure there will be no parking on the newly planted grass. The Historical Commission has agreed with the move. Because the Selectmen control the property at 2B Oak Street, not the Parks Commission, the Selectmen must approve the move.

A concern was raised as there is no real connection or formal walkway between Choate and 2B Oak. Mr. D'Amico, DPS Director originally went to ConCom and talked about breaching a wall to separate. It was decided to wait for a lawn to come in.

Ms. Dzizek discussed the plans for the summer concerts. Friends of Choate Park will be running a summer concession stand and possibly moving the set up of the concerts. Ms. Dzizek was invited to come back closer to the start of the series to update the Board. **Selectman Crowley moved that the Board approve the move of the Farmers Market to 2B Oak Street; Selectman Espinosa seconded; no discussion; all ayes 4-0.** (Mr. Foresto had not yet arrived)

Sewer Project Enforcement Order-Dave Aimola (Town of Medway, consultant), Paul Sirois (Tata & Howard), and Tony Biocchi (ConCom)

Concom issued an enforcement order. A lot of erosion control devices were damaged in the snow and not re established. The contractor responded quickly, shut down his crew to correct the issues while Mr. Biocchi and other members of ConCom helped to support the contractor. The ConCom enforcement order was ratified and was withdrawn after each issue was addressed. ConCom has been invited to attend weekly/biweekly meetings with the contractor and consultants. ConCom released the order by a unanimous vote because all conditions were met.

An issue has arisen during the construction on the sewer project. The contractor ran into petroleum in the soil under ground on Village Street, which is the result of a truck accident that took place in the 70's. Chief Trufant believes a Garelick truck in the 70's that laid on it side for hours, spilt fuel onto the road. In those days the fuel was sanded.

There are very strict rules as to how to take care of this today. Paul Sirois explained that as soon as the Contractor realized there was petroleum present, a licensed site professional came out and listed very specific procedures that must be followed. A soil and water sample was taken. The Contractor was shut down, under MCP. It was determined that the soil could go back in the trench but the groundwater right below the threshold. Because of the level, can't just discharge the water. Paul explained the process and permit process.

Dave Aimola explained that the Contractor can't work there now, but working at the industrial site, so there is some delay. There will be additional costs for lab fees and treatment systems.

Chairman Trindade moved that the Board authorize the Chairman to execute amendment #5, not to exceed \$15,000; Selectman Dunne seconded; Discussion: Selectman Crowley explained he will not vote for another change order unless numbered; All ayes 4-0. Selectman Foresto had not yet arrived.

Selectman Crowley is pleased with the way this was handled and the way that the issues raised by ConCom were dealt with.

Chairman Trindade recognized the Medway Fire Fighters and Police who have had to deal with two very difficult tragedies this week. Thank you for a job well done. We thank you for your service. Chief Trufant explained how assistance has been made available to the employees and volunteer staff.

Master Plan-Jim Wieler and Dave Kaeli

The Master Plan committee has been working for the past 15 months to establish this plan. The Master Plan survey had very strong signals suggesting police and fire protection are very important to our residents and the residents are very satisfied.

The Master Plan Committee looked at the 1999 master plan and parceled out sections to individuals on the committee. The Committee established new goals and new action items. The Committee members will take back their goals and action items to the boards, which will be implementing the action items.

There is a meeting scheduled with the Planning Board in May for their acceptance and then present to Town Meeting in June. An executive summary will be in the FinCom book mailed to residents before Town Meeting. As a point of reference, the 1999 Master Plan was 39 pages; the current Master Plan is 102 pages in length.

Key facts: Medway is ranked 52 out of 305 in taxes. Bottom 5% on per pupil spending. 30% of our potentially developing land is zoned as residential and 1% is zoned as commercial. Medway has to do something to enhance the industrial/commercial land base.

Mr. Wieler reviewed the Appendix A: Master Plan implementation summary. (See master plan in #3) * This is not the final version.

The Board reviewed the projects that the BOS must lead with the majority having to do with water. Selectman Dunne offered that a lot of these projects are already started. Selectman Crowley asked who was the sub committee that covered water/sewer and was advised that the data came from Ron Wilson and DEP.

The Selectmen should also see to it that the town facilities become energy efficiency and become green.

Having this document in place enables Medway to be given a higher ranking for state grants, provides a vision and guidance for bylaw changes etc. and is a guide to all boards.

It was suggested by Selectman Espinosa that the Master Plan be promoted at STM, by having a booth for advertising and for people to become familiar.

Chairman Trindade suggested getting a copy of the Master Plan put up on the web so that people can see more about it and become familiar.

Chairman Crowley mentioned the item that needs to be top priority and is glad that it's mentioned: "needs to make road and sidewalk budget a priority"

8:10 Selectman Foresto arrived.

Organic Farm-Heather Scott and Susy Affleck Childs

The Winthrop Street property of approximately 19 acres was acquired last year, and a proposal to start an organic farm has been received. The town put forth an RFP and held public hearings for the possible uses of this property. The RFP process has been completed.

A review team was established consisting of Dennis Crowley, (BOS) Bob Tucker, (PB) Pat McKellum, Phyllis Cerel (FC) and Susy Affleck-Childs. The review team met on 3 occasions to review, interview, and discuss scoring, evaluating systems and final discussions. The group reached a recommendation to enter into a 5 yr lease agreement, to lease 7 acres, 2 of which will be actively farmed. The group is recommending that the BOS appoint a Medway Comm. Farm Liaison Committee to interact with the farm. The group will consist of the same group as mentioned above as well as a citizen at large.

Chairman Trindade moved that the Board authorize the Selectmen to approve the lease agreement between the Town of Medway and the Medway Community Farm, Inc., for the purpose of an organic farm at 50 Winthrop Street; Selectman Crowley seconded; Discussion: questions arose on the pro forma income statement and if the farm would be able to absorb the losses in the first few years, (the first 3 years are in the red and positive in 2012). Selectman Dunne explained that the Proforma cash flow, to sell share that is a positive that isn't included in the revenues. 4-1 (Selectman Dunne abstained as he was once a member of the corporation)

Selectman Crowley offered that he was once pessimistic and now guardedly impressed. He wished the Farm luck and believes this is an added plus for the town.

The plan is to prepare the land this summer with cover crops. Some serious fund raising to build a volunteer base will take place and then will reassess funding in September to hire a farmer to start in March. If so, will plant April 2010.

The barn must come down by September, as this is a liability to the town. In November 2009 the farm will start advertising shares. Residents can get more information at www.MedwayCommunityFarm.org. A link to this website will go on the Town's website.

ATM Articles

Dave D'Amico-DPS Director discussed an issue with Shaw Street and the damage that the river is doing to the road. The River is reclaiming the soil, trees have been removed, and there is a long-term erosion issue. Removing the trees is a double-edged sword; it will kill the roots, which is holding the dirt. Contracting with Tetrattech Rizzo (engineering, retained firm) \$16K for engineering. \$500-\$700K total cost. The cost would be higher to redo the whole road from start to finish.

Selectman Dunne asked if the Army Corp of Engineers could help out or if there could be stimulus money available. Administrator Kennedy and Mr. D'Amico are working on a priority list, maybe Dave should add this to the list.

Selectman Espinosa moved that the Board include the Shaw Street article in the ATM warrant, as read; Chairman Trindade seconded; all ayes 5-0.

Selectman Crowley will contact Rep. Vallee's office to see if there is anything he can do to help out the funding of this project.

Administrator Kennedy and the Selectmen gave the ok to Mr. D'Amico to sign with Tetrattech to get this project started.

Dennis requested a list of roads his department is going to do next. Mr. D'Amico will get this list to BOS in the next 2 weeks.

Administrator Kennedy explained a placeholder for Free cash on the ATM as the final budget hasn't been decided yet. At present there is a \$245,000 gap in the 2010 budget. Ms. Kennedy is proposing a placeholder as there needs to be one more meeting to discuss the budget. Recommended in the event you need free cash.

Selectman Dunne moved that the Board add the Free Cash Article to fund the FY 2010 budget as read; Selectman Crowley seconded; Discussion: Selectman Crowley isn't sure of that the wording is accurate. For the purpose of funding the FY2010 operating budget. All ayes 5-0.

The Selectmen agreed to meet to discuss and finalize the budget on Friday May 1, 2009 at 4pm.

WhiteWater discussion will take place on 4/27 at Sanford Hall. Selectmen Foresto will contact Medway Cable as Fincom will tape in the SC room and BOS will show live from Sanford Hall.

Administrator Kennedy will provide Fincom with a copy of the ATM Warrant

Administrator Kennedy will contact Dr. Evans on changing the location of 4/28 meeting to Sanford Hall and Ms. Potter will arrange for tables etc.

Upcoming Meetings:

4/27/09 WhiteWater Discussion

4/28/09 Budget meeting with the School Committee in Sanford Hall

5/1/09 Selectmen Budget discussion 4pm

5/2/09 Budget presentation with the Finance Committee in Sanford Hall 8am.

Warrants:

Warrant #42 dated 4/23/09

Town bills \$641,608.59

School bills \$471,229.70

Gross payroll town \$8,9542.46

Total \$1,202,380.75

Selectman Dunne moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 5-0.

Administrator Kennedy advised that as of 5/2/09 the town would be going to a biweekly payroll system.

Selectman Espinosa asked that Outlook reminders for Selectmen's meetings be sent. Ms. Harrington will make sure to stay on top of this request.

Selectman Foresto asked what the Vadar amount in the budget is for and was advised there will be systems running in parallel at an expense of roughly \$6858.00.

The ATM warrant will not be closing this evening, as the Citizen's Petition should be withdrawn.

Approval of Regular Session Minutes

Selectman Dunne moved that the Board approve the 2/24/09 Minutes as amended; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Selectman Crowley moved that the Board approve the 3/3/09 Minutes as amended; Selectman Foresto seconded; no discussion; all ayes 5-0.

Selectman Espinosa moved that the Board approve the 3/4/09 Minutes as amended; Chairman Trindade seconded; no discussion; all ayes 5-0.

Selectman Crowley moved that the Board approve the 3/11/09 Minutes; Selectman Espinosa seconded; no discussion; all ayes 3-0 (Selectmen Foresto and Dunne were not present at the 3/11/09 meeting).

Selectmen's Reports

Selectman Crowley-nothing to report

Selectman Espinosa-nothing to report

Selectman Dunne-Would like to discuss the budget. It was agreed that a discussion on the budget would take place on Friday May 1, 2009 beginning at 4:00pm.

A discussion took place on the Library Trustees and Administrator Kennedy explained she has a meeting with the Franklin Library Director, and Jeff Nutting, Town Administrator, Franklin, next week and all should be resolved by 5/16/09 before the budget book deadline. Selectman Dunne explained that the Regionalization money would be removed from the Library budget if the regionalization doesn't pass.

Selectman Foresto-Continued work on the Trane contract with the School Committee. The School Committee will review the changed items at their meeting on Thursday 4/23/09.

Chairman Trindade-nothing to report

Chairman Trindade offered that at the next meeting on April 27, 2009 there would be a presentation by WhiteWater on water operations. Any resident who has water issues are encouraged to attend or tune in.

At 9:21pm Chairman Trindade moved that the Board adjourn to executive session for exemption reason number 6 "To consider the purchase exchange, lease or value of real property if discussion in open session may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation" and for exemption reason number 3 "To discuss strategy with respect to collective bargaining or litigation" with no intent to return to open session; Selectman Crowley seconded; Roll call vote: Selectman Foresto-nay, Selectman Dunne-nay; Selectman Espinosa; aye; Chairman Trindade-aye; Selectman Crowley-aye.

Respectively submitted,

Wendy Harrington

Executive Assistant

*Approved 6/1/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

April 27, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Selectman Richard Dunne was absent.

The meeting was called to order at 7:04pm

Public Comment: None

Route 109 Project Update- Paul Yorkis, SWAP, Dave D'Amico, DPS Director, Chan Rogers/MAPC and Planning Board

These gentlemen have been working on an application for an earmark of federal funds to pay for some/all of the Route 109 project. The application has been completed, a letter drafted, following specific instructions with the hope that the Board will vote to sign the letter tonight and have Mr. Yorkis submit the letter via email before the deadline. The earmark is for an amount of \$9.383 million dollars.

This earmark has nothing to do with stimulus funds coming to Massachusetts and nothing to do with TIP funds. This project will pay for the entire project from the Millis line to the Milford line and Medway will be able to use the money however we please.

The Selectmen were given copies of the draft letter this evening will review and vote by the end of the meeting and get a signed copy of the letter to Mr. Yorkis by tomorrow morning.

Sewer Extension Project Update-Dave Aimola, Project Manager.

Mr. Aimola presented a Contract amendment for paving on Waterview Drive. Selectman Crowley agreed with the recommendation.

Selectman Crowley moved that the Board approve the change order to extend paving to the end of Waterview Drive where it meets Village Street in the amount of \$30,000; Selectman Foresto seconded; Discussion: the Selectmen wanted to make sure this is a hard number and there will be no surprises. Selectman Espinosa asked if there were any other places in the project where Mr. Aimola foresees paving will be an issue or will require curb-to-curb paving. Mr. Aimola said he does not think so. All ayes 4-0.

Mr. Aimola discussed the service realignment to the pump station. NSTAR has requested the pole line be buried instead of overhead. Tata & Howard have reviewed the request and all the numbers are in line. This change gives the project the ability to put in a permanent gravel access road with an easement to the pump station.

Selectman Crowley moved that the Board approve the Change Order to SB for \$92,000 for the NSTAR Service realignment; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Charles River Pollution Control District Re-appointment-Douglas Downing is up for reappointment for a 3-year term.

Selectman Foresto moved that the Board approve the reappointment of Doug Downing for a three year term; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Review of the WhiteWater Audit-Russ Tierney and Steve Donovan, WhiteWater Representatives were present.

Selectman Espinosa read a statement regarding the audit.

WhiteWater performed a comprehensive O&M review of the day-to-day operations and management of the department.

A team of operators visited the facilities, looked at records and reports, conducted interviews and as a result have issued a summary of findings. Most of the items reported are based on regulatory requirements and others based on experience.

The audit found a non-compliance with licensing. They found that training was limited, site specific and industry wide. This training should be formalized and made a regular function of the department. The audit found that safety is lacking in personal protective areas and property.

The team found a number of areas where improvements can be made, but also found areas that the staff did meet expectations. This report should be used as a guide for improvement.

A copy of the report being reviewed was posted on the BOS web page during the meeting so that residents could download and follow along with the presentation. The team went through and reviewed the report with the Selectmen.

Resident, Mr. DeSimone questioned the amount of chlorine/smell/taste. Mr. Tierney doesn't believe it is that high and explained if you put a pitcher of Chlorinated water in the refrigerator the chlorine will dissipate. He explained that in towns that have always been chlorinated residents don't notice the smell or the taste. The amount in Medway is so low that it's not really noticeable.

Mr. Wilson, Water/Sewer Commission explained that Medway started adding chlorine this past summer after there was a chlorophorm hit in a tank. The DEP mandated the chlorine continue. The DEP may force Medway to be a chlorinated system forever, due to significant hits and non-compliance. Mr. Donovan explained that there is an

opportunity to petition DEP to stop the chlorination, once you make the many suggested changes and improvements.

It was explained that daily residuals should not be taken monthly, as they have been, but taken daily so chlorine use can be brought down to a better level. Once you get good control over the system, you may reduce expenses because you're only using the amount of chlorine that is necessary.

Mr. Wilson explained that a few years ago an assistant superintendent was hired to do logs and eventually didn't continue under the Town's employment. He was starting to documentation but then left and no one was hired to fill it due to the budget.

Administrator Kennedy explained that attending seminars and training sessions must be instilled upon the staff. Mr. Donovan explained that as part of the licensing requirements, there are continuing education hours that must be attended. New England Water Works in Holliston does most of the licensure training in the state.

Mr. Tierney explained that the DEP sampling is being taken care of and testing is being reported to DEP in a timely manner. DEP takes this seriously. All results are coming back very good. The biggest issue now is the aesthetics (odor, taste and color) of the water, which is testing fine, it is not unhealthy. All chlorine and brown water issues have been addressed; other issues are with the water/sewer department as a whole and the Town Administrator needs to address them. Selectman Crowley is happy that he received answers tonight.

Mr. Tierney explained that if the steps in this report aren't done, the chlorine will continue. The issues will get worse if not taken care of. WhiteWater believes that worse case; 3 years of flushing should resolve any and all issues.

Going forward a summary was reviewed of Attachment H. This listed short and long term recommendations with estimated costs included.

In summary this audit was to help the town identify where improvements can be made and explained how common practice should be done. It was not meant to be a tool to knock anyone or point fingers. It is believed that all should move forward and keep Medway on the path to the best quality water.

Administrator Kennedy explained that this first draft was available a month ago and since it was received additional steps have been addressed. All things are not yet institutionalized but safety equipment has been ordered and some training has been given. As of May 4, 2009 an Assistant Superintendent will be on board and will become the primary operator. He has the appropriate licensing. Our current superintendent is grandfathered as an operator, and a new person is to be hired with a D2 and T2 license. Current employee, Bill Donohue has just received his D2 license, which is now in effect.

It is the expectation of Administrator Kennedy that the new Assistant Superintendent will acquaint himself with the report and will implement all items, subject to the availability of funds, which could be upwards of \$100,000.

It was explained that hydrant inspection and the flushing program are very important. The new Assistant Superintendent will need to take a comprehensive/strategic approach to both hydrant inspection and flushing in the near future, with hydrant work being a top priority.

Administrator Kennedy hopes that the new Assistant Superintendent will be able to provide some training, a complete change in the day-to-day operations and be able to get the department back in compliance. Administrator Kennedy will need to be actively involved in the department and explained this is all a precursor to a consolidation of departments with the DPW.

Selectman Espinosa advised Administrator Kennedy that he would hold her feet to the first on these changes. Administrator Kennedy offered that as far as organizational changes she would find staff that is best suited for the positions and she thinks that she is on the right track with regard to the report and it is her hope that the town's people will support the Board of Selectmen and the Water and Sewer Commission with future changes.

Mr. D'amico asked whether flushing should be done once or twice a year. It was explained that DEP controls how much water we can use and limits the flushing. It is done when the water demand is low, but DEP may make an exception.

Chairman Trindade offered that we would have to continue flushing in order to help get the sediment out of the lines. He explained that flushing may not happen until the fall and that it could take a number of years of flushing to resolve the brown water. He believes we must schedule the flushing now and find the mechanism to fund it. Chairman Trindade also explained that the water rates are going to go up, but only at a minimal increase.

Selectman Crowley offered that when the Charter passed it passed the day-to-day operations of the water/sewer over to the Town Administrator. It has taken a while to jump start, but we are now getting a handle on it. Residents can expect to get answers, straight answers, and when you want them.

Selectman Espinosa advised that he would still like to see water issues reported to the website.

Chairman Trindade moved that the Board authorize the Chair to sign the Route 109 Project letter on behalf of the Town of Medway; Selectman Espinosa seconded; No discussion; all ayes 4-0.

The signed letter was given to Mr. D'Amico to send to Mr. Yorkis with a copy being sent to the Town Administrator's office.

Warrants

Warrant # 43 dated 4/30/09

Gross payroll town \$93,470.01

Gross payroll school \$701,540.07

Total 795,010.08

Selectman Foresto moved that the Board approve the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Next meeting is on April 28, 2009 at 6pm in the School Committee Room

Selectmen Reports

Selectman Foresto-Nothing to report

Selectman Espinosa-Nothing to report

Chairman Trindade-Mr. Trindade explained that he attended a MAPC meeting on stimulus funds and met with Karen Spilka's staff, Carolyn Dykema and Jim Vallee. Their views were discussed on the budget. They believe that the stimulus and Ch70 money looks good. There will be a better indication by the end of the week.

It has been confirmed that the senate president is in favor of the sales tax increase to 6.25%. Hopefully, we will have answers prior to Town Meeting.

Selectman Crowley was lobbying to get funds for Shaw Street, and possibly closing down Shaw Street. Medway has spoken to Franklin about closing the road and will most likely close it by the end of the week, provided Franklin has no serious issue with the road closing. The cost to repair all issues is approximately \$500,000.

Chairman Trindade and Selectman Crowley suggest that the town hire a grant writer and get any grants ready to go. There was also talk about having projects fast tracked to the TIP.

There being no further business to discuss, Selectman Foresto moved that the Board adjourn for the evening; Selectman Espinosa seconded; No discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 6/1/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

April 28, 2009 6:00 pm

School Committee Room, Medway Middle School

Present: Chairman Glenn Trindade, Selectmen John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: Selectman Richard Dunne and Andy Espinosa were absent.

The meeting was called to order at 6:07pm and there was no public comment.

Industrial Park Water Main Update-Greg Eldridge, Haley & Ward

The Selectmen directed Haley & Ward to change the water main size from an 8" to a 12" main. Bid award is to CN Corp. and Town Counsel will submit the Town's typical contract. Selectman Crowley reviewed the original estimate of \$293,000. Mr. Eldridge explained additional drainage was necessary and an additional expense of \$60,000 was added to the estimate.

Selectman Crowley moved that the Board authorize the Chairman to execute the Award Letter for the Industrial Park Water Main to CN Corp which was designed by Haley & Ward in the sum of \$314,413.15; Selectman Foresto seconded; no discussion; all ayes 3-0.

SCADA Update-Greg Eldridge, Haley & Ward

Selectman Foresto asked for an update to the SCADA contract. Administrator Kennedy explained this project is in limbo at the present time and further discussion with Town Counsel is required. The SCADA project is a logical extension of the current project. Selectman Crowley needs to contact the Attorney General's office to follow-up.

Selectman Crowley asked to clarify that the wells were paid for from a bond. The project is under budget. The SCADA project will be paid for with the money left over from the bond.

Administrator Kennedy reviewed the FY School Budget Analysis and Projection documents.

The board discussed reducing the school budget by \$235,172 (a nonrecurring for a reading program) and also by \$88,884, (IT Director salary, due to the way the charter is written) and moves both expenses to the town side

Administrator explained that the Level funded and the non-recurring revised appropriation is \$21,735,938. This is a 12.68% increase over required net school spending. This is greater than 2008 but it is comparable to 2009 at 12.6%.

The board reviewed the Town of Medway FY2010 Budget Overview 4/21/09 Revised budget (\$255,226) adding the police career incentive (\$5,790.00) health insurance.

The Chairman chose to release this information tonight and wants it on record. Fellow present board members don't agree.

Selectman Crowley didn't want a discussion to take place regarding exact figures, as the full board is not present. Chairman Trindade asked that a copy be made available for all present (SC and Superintendent) and asked that it be marked as a draft. Administrator Kennedy explained that the document hasn't been reviewed nor presented to the Finance Committee.

Administrator Kennedy offered her concern that there will be a large gap in 2012; while Selectman Foresto asked the big question of what can we do now to help the problems. He also explained that it will be necessary to be cautious on contract award amounts and union negotiations in the near future. Chairman Trindade explained that Medway should be contacting other towns to see what they are doing. Selectman Crowley explained that fiscally we're in a somewhat better position than other communities, so what they are doing, isn't really comparing apples to apples.

The board began discussions on what to do with free cash. Selectman Crowley believes it's better to put free cash into a stabilization account or put it into another account. He also believes there is enough free cash and additional funds that we can help fund a deficit in 2012 and do some infrastructure changes. He is not recommending that, but the funds are there to if that's what is decided.

Administrator Kennedy explained the free cash timeline and believes that the Free Cash discussion needs to take place on 5/1. Stabilization accounts, per DOR can be set up for a myriad of things, as many as you desire. Chairman Trindade believes that stabilization should stay safe and not be touched unless an extreme dire emergency.

Selectman Crowley explained that the Tier 1 list of roads should get done, once we receive the Ch90 money, maybe some of the Tier 2 roads will get done as well.

Administrator Kennedy offered that the Selectmen should be aware that the proposed budget did not include any capital on the warrant, and did not include the \$500-700K for Shaw Street. She explained that for some warrant articles her staff hasn't figured out where funding is coming from yet. Those discussions should be held on Friday.

There being no further business to discuss at 7:00pm, Chairman Trindade moved that the Board adjourn their meeting and proceed into a joint meeting with the School Committee; Selectman Foresto seconded; no discussion; all ayes. 3-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

May 1, 2009 3:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Glenn Trindade, Selectmen John Foresto, Andy Espinosa, Rich Dunne and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Treasurer/Collector Melanie Phillips was also present.

Absent:

The meeting was called to order at 3:07pm

Public Comment: None

Items to cover for this evening:

1. Forecast
2. Wish List
3. Approve Warrant
4. Miscellaneous items

The approval of the Warrant will take place on Monday, May 7, 2009 and transmit to the Finance Committee on Tuesday.

Review of Budget Projections, FY10, FY11, FY12 Version 2-Updated Health Care, Salary Reserves, State Aid & School Budget that illustrate the changes from 3/31/09 to 4/19/09 and will present to FinCom tomorrow.

Review of Budget Projections, FY10, FY11, FY12 Version 2-Updated Health Care, Salary Reserves, State Aid & School Budget/Forecast

Assumptions that everything is incremented by 2.5 %, Tri-County increased 5%, State Aid, reduced by 5%

\$499,301 Modified Level Funded with general fund surplus

Reviewed the Forecast FY10 line by line. Melanie took notes as to what line items will change.

Revised School Budget line

\$235,172(non recurring reading program) and \$88,884 (IT Director salary) were removed.

Selectman Crowley suggested a footnote on this line item to show exactly what transpired because the residents need to understand the reduction in line items as well as the stimulus money helping the schools budget. Frank Faist is going to put in a table to

show this information. Selectman Crowley would like a footnote on this page as well as the table.

Administrator Kennedy explained the salary increases are being paid for by the stimulus and they are not in this budget.

Selectman Espinosa would like the budget to show the salary expenses. Administrator Kennedy explained that this budget only shows town appropriations and can not legally show in this line item the actual school salaries. You can on an appendix, but actual vote at TM needs to be only on the town's appropriation. Mr. Faist will work with Administrator Kennedy to ensure that the expenses are crystal clear in the book.

Government, Health Insurance changes and salary reserve changes were discussed.

A reduction of \$57,090 from the State Aid-Police Career incentive on page 1 was discussed.

Administrator Kennedy explained that there is not adequate funding to pay the obligation to the Quinn Bill. \$81,000 needs to be funded, legally by the Town. \$81,000 was the original appropriation in '09 and was reduced to \$57,000 through the Governor's budget.

Reviewed FY2011 on Forecast increased tax levy by 2 ½% and reduced state aid by 5%.

Administrator Kennedy and Frank Faist agree that we should prepare for the worse. Selectman Crowley believes a vote to level fund should take place and proceed.

Mr. Myers, a Medway resident clarified non-recurring costs as it pertains to books and curriculum within the school department. His definition of non-recurring costs differs from the Town's definition. His belief is that books are a necessity for curriculum.

Dave Tobin presentation-Mr. Tobin, who was affiliated with the Tri-County Partnership, which no longer exists, passed out handouts that explained School Finance Ch70, net school spending information and Sales Tax Debate information.

Mr. Tobin explained the standards for school finance and the formula below.

A = B+C

A=Is the foundation budget (Local contribution + State Ch70 = Foundation Budget)-each student brings an amount of money that was determined and shows how much it costs to educate a student. This number was established in the 1990's and hasn't changed since. This number is a guaranteed.

B=local contribution-The state has gone through a history on how to calculate the local contribution. In the past if town revenues go up by a %, you are required to increase the local contribution by the same %. In 2007 there was a correction to significantly increase Ch70 aid. This correction measured our wealth compared to all other school districts.

C=This is the difference in what the town has to contribute and the foundation budget.

Mr. Tobin offered that Medway is in really good shape. There are a few more years left in this formula. It will most likely carry through 2012.

4:40pm Selectman Dunne arrived

Mr. Tobin believes that it's not necessarily fact that the same amount of stimulus money will be received this year and next. The formula will change in the foundation budget.

Mr. Tobin presented a very in-depth presentation.

Selectman Dunne offered that net school spending is a fallacy because it's impossible to educate the students for the net school-spending amount. Mr. Tobin explained net school spending is really a minimum that you have to spend.

Mr. Tobin explained that the stimulus funds will be available in 2011, and is a different amount than in 2010. No idea what 2012 will be, because he can't anticipate what the future will bring?

5:10pm Resume Budget Discussion

A discussion took place regarding the \$81,000 for the Quinn Bill. All but approximately \$6,000 is built into the police budget for the Quinn Bill payment.

School Appropriation will be \$21,735,938

Selectman Dunne asked about salary freezes. The Town has approached the Municipal unions. They have said they would be happy to agree to a one-year freeze, if all unions in Town will agree to a one-year freeze. Administrator Kennedy proposed \$125,000 be put into salary reserve, for the protection of the Town. This would ensure that core services and people would remain.

Administrator Kennedy explained that any school increases would be supplied through stimulus money funding.

Library-

The Library Board of Trustees has authorized Interim Library Director, Wendy Rowe to go forward in the way she feels best. The Trustees have agreed to share a Library Director for two days a week with Franklin for a total of 16 hours. Ms. Rowe has asked about custodial services and Administrator Kennedy has said they could be paid for.

Administrator Kennedy and Selectman Dunne believe that the money to regionalize should be kept in the budget as a carrot to regionalize.

Chairman Trindade and Selectman Crowley would like to see a written commitment from the Library Board of Trustees to regionalize. Selectman Dunne will contact Ms. Rowe as will Administrator Kennedy.

Selectman Crowley moved that the Board approve the \$39,000 for Library Staffing and Overhead and an additional \$8,600 for building maintenance with the contingency that we receive a letter from the Board of Library Trustees that they will do due diligence to regionalize with the Town of Franklin; Chairman Trindade seconded; no discussion; all ayes 4-1 (Selectman Dunne was opposed).

Reviewed FY2010 Level Service Items by Department

Tier I requests were reviewed

John Foresto-When Munis was purchased Barbara Durand, former Town Accountant made recommendations on what to purchase. Ms. Durand has been through Munis conversions in other towns. Medway only purchased what Ms. Durand suggested. Another \$15,500 will cover anything else we need.

Selectman Dunne moved that the Board support Tier I requests in their entirety including the recurring of \$2,040.00 for subsequent years; Selectman Crowley seconded; no discussion; all ayes 5-0.

Tier II requests were reviewed

A discussion took place regarding the request for Munis consulting services. The Finance Committee recommended budgeting for unforeseen issues. Ms. Durand's expertise left with her. To help Ms. Pratt with the full conversion it is necessary to fund a consultant.

IT Director Rich Boucher has requested a Network Technician. Currently the Town is using a consultant (John Walker) more than anticipated. Administrator Kennedy believes that it is not necessary to add a recurring expense of \$40K and benefits for this position. Selectman Crowley suggested bumping this item down to a Tier IV request.

Additional Outreach-all agreed this is necessary

Vehicle Repair Costs-All would prefer to have the director ask for money when he needs it

Drainage-all were in favor of this expense

Seasonal labor-all were in favor of this expense

Bldgs and grounds-all were in favor of this expense

Library-it was suggested to move all to Tier IV (Bldg Maintenance already gave in the revised budget)

Police-all in favor of this expense

File storage-Ms. Phillips, Treasurer/Collector explained the thoughts and plans behind this expense. This expense request was increased to \$30K

Night Board Secretary-Administrator Kennedy asked that a Planning Board Secretary be added at an expense of approximately \$5,000.00.

Selectman Dunne moved that the Board accept Tier II as amended; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Tier III requests were reviewed

GIS-Selectman Foresto offered some concerns on staff and if our staff has the skill sets required.

Pictometry-

Police-Court time and matrons \$1600 + crossing guards \$1614=\$3214

Overtime Police-no one agreed this should be paid funded

Police Education \$5148

All of these items listed about were moved to tier IV

Chairman Trindade moved that the Board approve the Town Hall and Senior Center Phone System for \$25,000; Selectman Dunne seconded; no discussion; all ayes 5-0.

Free Cash Ideas were reviewed

Free cash 1,743,848

+ 187,260 surplus from FY10 Budget

1,931,108

-327,972 snow and ice

balance of free cash \$1,603,136

Selectman Dunne suggested put ½ of the \$1,603,136 to the Stabilization account.

Selectman Dunne is looking out to FY 2012, as there will be no stimulus money.

A discussion took place on putting money into stabilization v. capital improvements.

Route 109 Engineering-Dave D'Amico suggests that the engineering process should be started but no real need to put a lot of money aside at this point.

Chairman Trindade left the meeting at 6:30pm.

A discussion continued on depositing money into the stabilization fund and the procedures of how to get the money out, once in stabilization.

Administrator Kennedy suggested spending the rest of the funds on a grant writer and a town hall feasibility study, which would zero out the balance of the budget.

Administrator Kennedy also suggested hiring a conservation agent.

Selectman Foresto asked if there are any items that could be prepaid in advance with the left over monies.

Selectman Crowley took his calculator and left the meeting at 6:45pm.

The \$22,000 for the conservation agent would be paired with an inter-municipal agreement with the Town of Holliston to share a conservation agent.

The balance of \$3,260 will go to the Selectmen's expense account, which will help cover any unforeseen expenses going forward.

Selectman Foresto moved to approve to fund the \$75,000 feasibility study, \$75,000 grant writer, \$22,000 for a conservation agent, \$12,000 Vadar maintenance and \$3,260 to the Selectmen's expense account; Selectman Dunne seconded; no discussion; all in favor 3-0 (Chairman Trindade and Selectman Crowley had already left the meeting).

There being no further business to discuss at 6:50pm, Selectman Dunne moved that the meeting adjourn; Selectman Foresto seconded; no discussion; all in favor 3-0 (Chairman Trindade and Selectman Crowley had already left the meeting).

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

Joint meeting with the Finance Committee

May 2, 2009 8:00 am

Sanford Hall, Medway Town Hall

Present: Chairman Glenn Trindade, Selectmen John Foresto, Andy Espinosa, Rich Dunne and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Present from the Finance Committee: Paul Marble, Phyllis Cerel, Eric Arbeene, Mark Brown, Frank Faist, Larry Ellsworth, Jan Fish, Jeff Devolder, Phil Giangarra

Treasurer/Collector Melanie Phillips was also present.

Absent:

The meeting was called to order at 8:05am

Public Comment: None

Budget Projections, FY10, FY11, FY12, Version 2-Updated Health Care, Salary Reserves, State Aid & School Budget as of May 1, 2009

Chairman Trindade began the meeting with a summary of what was presented to the School Committee on April 28, 2009. He explained that the budget is level funded with the exception of the \$235,172 for a non recurring revenue for a reading program being removed and the \$88,184 for the IT Director's position. A budget of \$21,735,938 to the schools will result in the school spending \$22,8M from their general fund due to the stimulus money that will be coming in and will leave them a balance of roughly \$500,000 that will be unspent and reserved for a future year.

Administrator Kennedy explained the numbers to clarify.

Treasurer/Collector Melanie Phillips explained to all present that the schools have verbally agreed to this number, they have not officially voted on it to date.

Selectman Dunne believes the schools are voting yes because they are getting stimulus money.

Many discussions took place with many members clarifying the same. Chairman Trindade explained that the Selectmen met with David Tobin who went into detail in his explanation of Net School Spending and the formulas involved in calculating that number.

Selectman Dunne offered that 2010 looks solid, 2011 look solid, \$800,000 IDEA grant that helps with Special Ed. The biggest issue is 2012, no federal stimulus for that year.

Mr. Marble agreed with the sum. Mr. Ellsworth agreed but the money should be spent wisely and the number of months that the money has to spend the stimulus could carry out to 2015. Chairman Faist explained that the schools need to write grants to receive the stimulus money and it's not in hand and no telling when the money is coming to Medway.

Administrator Kennedy explained that Dr. Evans offered that the school would share with the Town the amount of \$235,172 from the stimulus money.

Mr. Marble asked if there were reductions in the Town side of the budget along with the School side. Administrator Kennedy explained there are no non-recurring in the Town side and there has been a reduction in insurance costs etc.

Chairman Trindade explained the State Aid Police Career Incentives of \$57,090.

Selectman Dunne discussed the wage freeze discussion with the Unions. The municipal union, police and fire unions said that they would agree to a wage freeze so long as the school union agreed as well.

Administrator Kennedy explained the \$3,260 increase in the Selectmen's budget is a placeholder for Conservation Agent regionalization and the Library regionalization.

Chairman Trindade presented the budget line by line with the changes that were agreed upon at the May 1, 2009 Selectmen's meeting. See: Budget Projections, FY10, FY11, FY12, Version 2-Updated Health Care, Salary Reserves, State Aid & School Budget as of May 1, 2009.

Finance Committee Chairman requested that the FinCom budget remain at the budget amount it had last year, due to an increase in salaries and postage. Chairman Faist requested a \$750 increase to come from the \$3,260 placeholder in the Selectmen's expense.

Administrator Kennedy explained a mistake in the budget and a duplication of numbers in the Library budget. Administrator Kennedy will update the document and ask the Selectmen for a reallocation of funds at their meeting on Monday May 4, 2009.

Selectman Dunne explained that the Selectmen moved to allocate the money for the library also requesting a letter of commitment from the Library Trustees to do due diligence in regionalizing with Franklin. Administrator Kennedy explained that the Library is in support of regionalizing and the Franklin Library Director will be known as the Medway Interim Library Director.

A discussion took place regarding regionalizing of other departments as well, Health Agents, Conservation Agent and Library etc.

Selectman Dunne left the meeting at 10:37am.

Chairman Faist discussed when the ATM Warrant would be given to the Finance Committee. The Selectmen will vote on the ATM Warrant on Monday May 4, 2009. Chairman Faist will attend that meeting and it will be decided after the meeting if the Selectmen need to meet with the FinCom before the FinCom public hearing on Wednesday May 13, 2009.

Mr. Marble asked about a Free Cash discussion. Chairman Trindade explained that the Free Cash discussion was not completed at the Selectmen's meeting yesterday.

Mr. Marble would like to see the debt service to the state paid off with Free Cash.

Selectman Crowley offered that the Selectmen aren't necessarily trying to build up stabilization, but putting money aside for 2012 shortfalls.

Ms. Fish asked about pay increases on the municipal side and how those will be explained to the residents and clarify to the public.

Ms. Phillips explained her increase is because she is taking on additional duties.

Chairman Trindade will be sure to make those increases, which can be justified, are clear and explained to the residents.

Chairman Faist suggested those increases should be justified in the write-ups for each department in the Warrant book.

A discussion took place regarding the Shaw Street Emergency Transfer Request and Tree removal of a tree on Highland Street.

Chairman Trindade explained that Shaw Street will be closing and has been agreed upon with the Town of Franklin.

The Finance Committee portion of the meeting ended at 11:09AM

A discussion took place on the Free Cash items, which is a list of items that Selectman Crowley has kept throughout the last few months. They have not been reviewed by the Selectmen to date.

Selectman Foresto discussed the options when adding fiber optics, (cameras at selected locations in town) he has previously discussed with Chief Tingley and Chief Trufant. He updated the Selectmen on where the process is at this point.

Chairman Trindade mentioned looking into paving the road to the recycling center taking the funds from the enterprise account. It was agreed that this project would be wise to put off until future plans for the dump and highway barn are solidified.

Administrator Kennedy explained that the Selectmen haven't looked at the debt service requests and the remaining few DPS requests, extra Library funds and Shaw Street.

Monday's discussion should include a few wish list items, free cash items, warrant approval and the assessor's audit report.

Administrator Kennedy discussed implementing the WhiteWater recommendations and the funding for those recommendations. Administrator Kennedy will ask Dave D'Amico to step in as the Interim Water Department Superintendent as Mr. Flaherty has stepped down and the new Assistant Water Superintendent doesn't have knowledge in all areas required.

Administrator Kennedy would like recommend to allocate the \$100,000 (for flushing, training etc) in the to do list and change the proposed enterprise fund budget. It's important that the rate reflects this allocation. The rate increase will be pennies.

Selectmen Espinosa would like to have the flushing continue in the spring, especially in the areas that have already been flushed, he thinks this is imperative to the flushing program I the "bad" areas of town.

Selectman Crowley would like a discussion about the SCADA system on the May 4, 2009 agenda. Administrator Kennedy would like to put it out until another meeting. Selectman Crowley will contract the contractor and see what the situation is at this point and see if it can go out longer.

At 11:42am, Chairman Trindade moved that the Board adjourn the regular session meeting; Selectman Crowley seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

May 4, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Glenn Trindade, Selectmen John Foresto, Andy Espinosa, Rich Dunne and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent: None

The meeting was called to order at 7:04pm

Public comment: None

Annual Town Election Warrant-Maryjane White-Town Clerk

Chairman Trindade moved that the Board approve the Annual Town Election Warrant as presented; Selectman Foresto seconded; no discussion; all ayes 5-0.

9 Walker Street Conveyance to The Affordable Housing Committee- Susy Affleck-Childs, Member and Eric Alexander, Chairman of The Affordable Housing Committee

At the Fall Town Meeting the Town voted to approve 9 Walker Street for affordable housing, at the last affordable housing meeting, South Shore Habitat for Humanity was selected for conveyance pending approval an easement by Town Counsel.

A single family home will be built on the lot with a preference being given to Medway residents but can not stipulate Medway residents only. This is a Habitat run program and it is a regional program. Mr. Alexander stated that the project should stay open to any kind of state or federal funding and limiting to Medway only residents could harm the funding process. He also doesn't believe that there would be much interest from out of town people anyway.

Jerry McDermott, the Executive Director of South Shore Habitat explained the application process and the requirement that candidates must be willing to put in many hours of sweat equity.

Selectman Foresto moved that the Board authorize the Chairman to execute the deed that will convey 9 Walker Street to South Shore Habitat for Humanity pending the easement approval by Town Counsel; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Staff Introductions-Susan Ellis-HR Director

Frank Jordan has taken the position of Assistant Water Superintendent and Dave D'Amico has been named Interim Water Superintendent.

Mr. Jordan's licenses were discussed and noted that they are above what is required. He has previously worked for the Town of Ashland for the past 22 years. Mr. Jordan will begin the process of implementing the changes as outlined in the WhiteWater Study. Mr. Jordan will cover operations while Mr. D'Amico will handle contracts and procurement. There will be a meeting of the water/sewer staff tomorrow. The former superintendent has been re-assigned.

William Nasser has been hired as the new assessor. Mr. Nasser has previously worked in Boxborough and Hopkinton.

The Board welcomed both gentlemen aboard and explained that both areas are key areas that the Town is looking to upgrade.

Assessor's Department Audit Report-Michael Flynn and James Sullivan, Assessing Consulting Services

It was explained that an audit of the department operations, policies and procedures took place. The staff and Mr. Kapinos, consultant were interviewed as part of the audit.

Mr. Flynn is pleased that Mr. Nasser has been hired, and explained that Mr. Nasser has received a copy of the report and will use it as a blueprint for the functions of the office of the assessors.

This was not a financial audit, nor a specific audit on any one specific employee; it was only an overview of the office.

Recommendations: There was a unanimous recommendation that the first major step is to hire a full time assessor, the board agreed, as did the staff. The audit recommended that there be a recast of the data entry position. PT or FT, professionally trained in the data entry position, which will allow the assistant assessor/secretary to do only his/her duties.

There was a review of the vendor contract and reviewed to see if it can be adjusted to give the Town maximum flexibility in choosing vendor relationships now and in the future. It is important for the Town to have access to the data and there are many different CAMA system vendors.

Selectman Foresto offered that PK is driving us and not us driving PK. If we are going to reverse this, what's the situation going to be? Mr. Flynn advised that hiring Will is a very good start. He's been through multiple vendors and understands how they operate. A good discussion should be had with Mr. Kapinos to explain the situation. Mr. Dunne thinks that the new assessor should make these decisions.

Selectman Dunne discussed the comments regarding customer service. Some of the comments were read regarding storage, neatness of the office, space planning etc.

Mr. Flynn explained that through the Charter the change in assessors to appointed is a good move. Mr. Sullivan believes that appointed provides more flexibility in getting the positions filled.

Mr. Crowley explained after reviewing past employee exit interviews, it was noted that employees have explained there wasn't enough work and that they weren't kept busy. Mr. Flynn believes with a full time assessor, more work from the vendor will come back to the office.

Mr. Crowley asked if due to the size of the office/town, is it necessary to find a PT person now for data entry or down the road. The two gentlemen believed that once Mr. Messer is on board, time will tell.

Chairman Trindade asked if there is anything else we should be doing for training etc. of the existing staff. Mr. Flynn suggested further training on the PK system and explained there is a training course for Clerks within the state assessors system which they get training, updated on clause exemptions, statutory exemptions etc.

Chairman Trindade asked if there is the ability to cross train individuals to move around. It was explained that within parameters, yes, some items are confidential.

It was explained that only minor revenue loss occurred after not having a full time assessor.

Paper flow, catalogs, and the cluttered office area will be corrected. There is a new computer on the counter that is up and running. The website for assessing is one of the best around which was due to a combined effort by PK and Pace Williams. All agreed that the \$5,000 expense for the audit was money well spent.

Contract Amendment with PGC Associates, Inc-Susy Affleck Childs

This amendment is for consulting planner services and a contract renewal with the Town and is not exclusive to the Planning Board. PGC Associates would like to execute an extension of the contract through September 30, 2010.

Selectman Dunne moved that the Board authorize the Chairman to execute a contract extension with PGC Associates, Gino Carlucci; Selectman Foresto seconded; no discussion; all ayes 5-0.

Clean Harbors-Bill Fisher, Board of Health Agent

The Household hazardous waste agreement between the Town and Clean Harbors was discussed. The event is scheduled for May 16, 2009 and for Medway residents only. Chairman Trindade suggested advertising through the school's list serve and Medway cable.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract for the 2009 hazardous waste collection; Selectman Dunne seconded; no discussion; all ayes 5-0.

FY10 Budget Discussion-WhiteWater Implementation/library (balance of \$40,000)/conservation agent/free cash.

Administrator Kennedy explained that there is still \$40K to appropriate in the proposed FY10 budget

Funded Projects 2010-document was discussed which outlined what was funded and what is left to be funded

Budget Projections, FY10, FY11, FY12 Updated Health Care, Salary Reserves, State Aid & School Budget

Page 5 Library was discussed

In order to procure building maintenance \$6320 is needed (total \$14,920 for maintenance). Administrator Kennedy recommended this appropriation to augment what was already appropriated for maintenance. At the Finance Committee meeting it was suggested to appropriate more RMM so as there would be no use of the Tuchinsky Fund and appropriate an additional \$8200 to relieve Tuchinsky fund use. This would be to help pay any custodial fees, so they don't have to tap into the Tuchinsky fund interest. It appears the rug has not been cleaned in 5 years. The rug cleaning expense will need to be looked at in the future. The cost would be approximately \$5000.

No decisions were made regarding capital.

Selectman Dunne moved that the Board approve the additional funds to the library with the same condition that a letter approving the regionalization be prepared by the Library Trustees; Selectman Foresto seconded; no discussion; all ayes 5-0.

Discussion on Debt Service-Do we want to Bond Capital items or do we want to use Free Cash? Approximately \$15,000 is left over

Selectman Crowley moved that Board approve the balance of \$15,360.00 to the general account, \$12,000 for procurement for aerator and \$3360 allocated to Medway 300; Selectman Dunne seconded; no discussion; all ayes 5-0.

Selectman Dunne moved to appropriate \$10,000 to fund the CIPC warrant request; Selectman Foresto seconded; no discussion; all ayes 5-0.

Free Cash-\$173,848-snow \$327,972 balance \$1,415,876

Selectman Crowley moved that the Board allocate from free cash \$327,972 to the snow and ice account to balance FY09; Selectman Dunne seconded; Discussion: There is a deficit in snow and ice this year, this will pay off the bill; all ayes 5-0.

A discussion on the Governor's budget took place.

Selectman Dunne would like to see at least \$800K go to stabilization, we still have another month of un answered questions.

Selectman Dunne moved that Board move \$800K of free cash and put into general stabilization fund, Selectman Foresto seconded; Discussion: A discussion took place on placing the money in a certain account and leaving it there and the ramifications of putting it in an operational account. Selectman Espinosa was concerned that there are many capital projects that should be addressed with the money instead. Selectman Espinosa believes in a reserve is a good thing to do, but not operational.

Chairman Trindade is ok with putting it away, but don't want it restricted for operations. Selectman Dunne explained 5% minimum in stabilization should be bumped up. Ms. Phillip offered if you restrict the use, the bonding agency would look at it differently. Selectman Crowley explained in the past have always said, don't use stabilization for operations, in a few years people may not remember that we put it in for a specific purpose. Selectman Dunne would like to just put in stabilization for a raining day.

Larry Ellsworth, FinCom Vice Chair explained there is no reason to label it for a specific reason. Wonders if it is the best way to use it, could use it for some capital investments.

Frank Faist, FinCom Chairman offered to put it in as unrestricted for down the road to give the flexibility as the town sees fit in an emergency.

Selectman Crowley offered not to use stabilization for operations, we have been told that for years. The purpose of putting it away is because we're afraid of an operating shortfall in a few years.

Motion amendment \$800K designated as an operational stabilization fund; Chairman Trindade seconded; 3-2 (Dunne and Espinosa opposed) All were in favor of putting \$800K in a stabilization account but only 2 opposed to put it in a specific operational stabilization.

Selectman Dunne moved that the Board allow \$150,000 of Free Cash to roll over; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Selectman Dunne moved that the Board move \$225,000 from Free Cash to additional road and sidewalk to supplement the Chapter 90 monies; Selectman Crowley seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board move \$16,000 from Free Cash to carpet four schools and \$20,000 for new doors in four schools; Selectman Foresto seconded; no discussion; all ayes 5-0.

Selectman Foresto moved that the Board move \$8,000.00 from Free Cash for licensing for PC's at Town Hall; Chairman Trindade seconded; no discussion; all ayes 5-0.

Selectman Crowley moved that the Board move \$50,000 from Free Cash to pay for a one ton pick up for DPS; Selectman Foresto seconded; Discussion; Administrator Kennedy explained these items were on the CIPC list but it wasn't presented because

they CIPC thought that there were no funds to pay for them. Selectman Espinosa had requested that CIPC come back with an entire list so that they could be prioritized even if there are not enough funds to pay for them.

Selectman Crowley explained that he had called Jim Palladino, CIPC Chairman to ask him for his priorities.

Administrator Kennedy has asked CIPC to change their process; they will work on the evaluation criteria and work with department heads to have a long-term look.

Vote 3-2 (Espinosa and Dunne opposed)

Selectman Espinosa is not happy with the process of how the decisions on how this Free Cash is being spent. Chairman Trindade took offense to Selectman Espinosa not agreeing to the way the Free Cash is being allocated. Selectman Espinosa offered that it is his preference to put money in stabilization, not the operational account, and then spend it later the right way.

Selectman Dunne asked if we could use the remaining to pay off debt to increase bonding capacity. Administrator Kennedy suggested that they might consider paying down the 2012 deficit financing or prepay the debt or pay the fiscal stability fund payment. This will free up operational capacity.

Selectman Crowley wondered if it would be wise to let it fall to free cash, in case there are budget cuts (FY10 budget, after it's approved). This would free up by Sept or Oct, and could appropriate in the fall town meeting, if no cut then could prepay fiscal stability.

Selectman Dunne moved that the Board expand the amount that would fall to Free Cash to \$296,876; Selectman Crowley seconded; no discussion; all ayes 5-0.

WhiteWater Implementations

Administrator Kennedy recommended adding \$109,000 by means of an article or the budget to consider providing the funding for the WhiteWater recommendations. \$65,000 was for the hydrant inspection and flushing program. Final documentation has not been received, but she is almost positive the numbers won't change. The enterprise account should cover this expense but it doesn't. There is \$450,000 in retained earnings, if we take \$109,000 from retained earnings it would put that account a bit low.

It was suggested that the \$109,000 should be built into the water rate increase and if so, the rate would increase by .04 a day on top of the .07 increase that was already proposed. There is a meeting on water rates scheduled for 5/7/09. Selectman Espinosa would like to see the water tank included in the rate structure. Selectman Crowley explained that if the water department doesn't raise the rates, there will be cuts within their department. Chairman Trindade believes the public wants to have action taken and results seen when they pay their water bill. He would like to see the flushing program continue. Selectman Espinosa would like to get it all done, not just half of it. He believes that some of the

money should be put into the rate structure so that there is some money there to start the process.

Selectman Crowley moved that the Board allocate \$109,000 to the Water Enterprise Account, expense line item coming from pending rate increase and the water/sewer board will have a final say in it; Selectman Dunne seconded; no discussion; all ayes 5-0.

Selectman Espinosa moved that the Board allocate \$500,000 to the Water Enterprise Account, expense line item coming from pending rate increase and the water/sewer board will have the final say for the replacement or reconstruction of the tank; Chairman Trindade seconded; Discussion: Selectman Dunne believes there is enough money in wells and could move the money from one well to another; vote 2-3 (Foresto, Dunne and Crowley against).

Annual Town Meeting Warrant Review

Each warrant article was reviewed.

Selectman asked that a full accounting/detail of the Parks Department income be requested for the next meeting.

Selectman Foresto moved that the Board approve the warrant as amended; Selectman Dunne seconded; no discussion; all ayes 5-0.

Selectman Foresto moved that the Board close the Annual Town Meeting Warrant; Chairman Trindade seconded; no discussion; all ayes 5-0.

Warrants #44 April 30, 2009

Town bills \$724,220.18 total \$724,220.18

Selectman Dunne moved that the Board approved the Warrants as read, Selectman Foresto seconded; no discussion; all ayes 5-0.

Administrator Kennedy's Report

1. Will present the SCADA contract on 5/18
2. Commend police force officers Matt Reardon and Officer Grimes for a great job on the Internet Safety Night presented recently at the Middle School.

Selectmen Reports:

Foresto-Working to try to get the architect to look at Town Hall

Dunne-Norfolk County looking for pictures of Medway. Selectman Dunne will try to reach the Library Trustees tomorrow to get an update.

Espinosa-Nothing to report

Crowley-Selectman Crowley explained that the opinion letter that Town Counsel wrote on what budget is voted on and is presented to Town Meeting states that it is not the School Committee's budget. Selectman Crowley would like a vote to release that letter with Town Counsel's opinion and make it a public document. The letter was dated 12/28/08. ***Selectman Crowley moved that the Board release the letter from Town***

Counsel dated 12/28/08 with her opinion on what budget is presented at Town Meeting; Selectman Dunne seconded; all ayes 5-0.

Selectman Foresto moved at 9:47pm that the Board adjourn for the evening; Chairman Trindade seconded; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL
May 11, 2009 6:00 pm
Pre-Special Town Meeting, Medway High School Room 111

Present: Chairman Glenn Trindade, Selectmen John Foresto, Andy Espinosa, Rich Dunne and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present. Mark Cerel, Town Moderator was also present.

Absent: None

The meeting was called to order at 6:07pm

Public comment: None

Contract Amendment with Consultant for ESCO Contract Engineering Review

The contract amendment letter dated May 5, 2009 was reviewed.

Selectman Dunne moved that the Board authorize the Chairman to execute the contract amendment with Beacon Integrated Solutions, LLC per the letter dated May 5, 2009; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Open and Close Annual Town Meeting Warrant

A discussion took place regarding the regionalization of the library. This must be a monetary article and cannot go into unclassified. Money must be removed from the budget and put in an article. A discussion took place whether or not to leave it in the budget or not. Selectman Espinosa wants to encourage regionalization and wants to have the money in the budget. Selectman Dunne is not opposed to either keeping it in or taking it out. Ms. Rowe's request is to keep the money independent from the budget. Selectman Foresto would like to keep the flexibility, but Selectman Espinosa is concerned that taking it out may threaten the certification. Chairman Trindade would like to see a good faith effort to making this process work. Selectman Crowley would like to go with Selectman Dunne's recommendation as he has been dealing with the Trustee's all along.

Selectman Dunne moved that the Board open the Annual Town Meeting Warrant for the purpose of adding an article for the Library Regionalization; Selectman Foresto seconded; Discussion: Selectman Dunne commented about adjustments to the budget and the possibility to leave an avenue to balance the budget due to more 9C cuts. Town Counsel explained that caution should be taken when writing the motion, as the motion needs to stay FY09 specific. Administrator Kennedy explained that this article is a cautionary step, "just in case" and would be to appropriate the \$296,000 we were going to let fall to Free Cash to cover budget cuts in FY09. She also believes there is sufficient school choice and stimulus money to cover the school budget. **All ayes 5-0.**

Selectman Dunne moved that the Board vote in favor of the Library regionalization; Selectman Crowley seconded; no discussion; 4-1 (Selectman Espinosa opposed).

Selectman Dunne moved that the Board balance the FY09 budget; Selectman Crowley seconded; no discussion; all ayes 5-0.

Selectman Dunne moved that the Board close the ATM warrant; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Discussion with Mark Cerel, Town Moderator on Article Motions.

Discussion about Trane article

Chairman Trindade advised Ms. Wieler that there was no vote by the School Committee to support the ESCO panel's recommendation. *Selectman Espinosa moved that the Board accept and support the recommendations of the ESCO panel and asked that the School Committee also approve the recommendations; Selectman Foresto seconded; Discussion:* Selectman Foresto asked if there was a notice to proceed. A discussion took place on alternative motions that were presented. Administrator Kennedy and Town Counsel believe that motion #3 is the best choice. Attorney Saint Andre recommends that the Board go with this motion as bond counsel has reviewed. (the statements underlined were important to bond counsel) *All ayes 5-0.*

Warrant:

Warrant # 44 dated May 14, 2009.

Town Bills \$3,275.00

School Bills \$409,810.80

Gross Payroll Town \$193,254.71

Gross Payroll School \$690,636.80

Total \$1,296,977.31

Selectman Foresto moved that the Board approve the motions as read by Selectman Crowley; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Selectmen Foresto, Crowley, Dunne and Chairman Trindade moved to join the Finance Committee at 6:45pm. Selectman Espinosa left the meeting.

Selectman Crowley moved that the Board adjourn at 6:53pm; Selectman Foresto seconded; no discussion; all ayes 4-0 (Selectman Espinosa had left the meeting earlier).

Respectfully submitted,

Wendy Harrington

Executive Assistant

*Approved 7/13/09

MINUTES OF THE SELECTMEN MEETING FINAL

May 23, 2009

Sanford Hall, Town Hall 7:45 AM

Present: Chairman Glenn Trindade, Selectmen Andrew Espinosa, Dennis Crowley, Richard Dunne and John Foresto; Allison Potter, Assistant to the Town Administrator.

7:45 AM – Chairman Trindade called the Selectmen's meeting to order in Sanford Hall.

Reorganization of the Board of Selectmen

Mr. Foresto moved, seconded by Mr. Dunne, and it was unanimously

VOTED: to appoint Mr. Espinosa as Chair.

The Board members shifted its seating arrangement to reflect the new organization. Mr. Espinosa thanked the Board for his appointment and said he looked forward to serving in this role.

Mr. Trindade moved, seconded by Mr. Crowley, and it was unanimously

VOTED: to appoint Mr. Dunne as Vice Chair.

Mr. Trindade moved, seconded by Mr. Dunne, and it was unanimously

VOTED: to re-appoint Mr. Crowley as Clerk.

Annual Town Meeting Article 13

Mr. Trindade said that the Board needs to vote to recommend dismissal of Article 13 at Town Meeting because the funding for VADAR is accounted for in the operating budget in Article 2.

Mr. Foresto moved, seconded by Mr. Trindade, and it was unanimously

VOTED: to recommend that Article 13 be dismissed.

Emergency Transfer Request – Finance Committee

Mr. Trindade stated that the Finance Committee has requested \$1,000 to cover unanticipated expenses related to the Finance Committee Selection Committee.

Mr. Trindade moved, seconded by Mr. Dunne, and it was unanimously

VOTED: to transfer \$1,000 from the Finance Committee Emergency Reserve to the Finance Committee to cover costs associated with the Selection Committee.

Renewal of Bond Anticipation Notes for Deficit Financing

The Board remarked on the excellent rate of 1.35% bid by Eastern Bank.

Mr. Foresto moved, seconded by Mr. Dunne, and it was unanimously

VOTED: that the Board of Selectmen award the renewal BAN for \$1,500,000 for deficit financing with an issue date of June 5, 2009 to Eastern Bank with a bid of 1.35%.

Lease with New England Handling Systems, Inc. for OCR Scanner

Mr. Trindade stated that this is a second scanner for the Treasurer's office and serves several purposes, most importantly that of an accommodation for a staff member in that office.

Mr. Dunne recused himself from the discussion and vote on this lease due to his business affiliation with NE Handling Systems.

Mr. Espinosa asked Mr. Dunne if the lease covered maintenance. Mr. Dunne answered that it includes software, hardware and maintenance.

Mr. Trindade moved, seconded by Mr. Foresto, and it was

VOTED: that the Board of Selectmen authorize the Chairman to sign the lease agreement between the Town of Medway and New England Money Handling Systems, Inc. for the lease of an OCR scanner for a term of three years at a cost of \$233 per month. Mr. Dunne abstained.

Selectmen's Reports

Mr. Foresto commented on the state of West Street, which is part of the sewer extension project. He said the road is in disrepair and has been for some time.

Mr. Foresto also informed the Board about the video streaming Medway Cable Access has been piloting. He said that they are preparing to go live with the video streaming around Labor Day.

Mr. Crowley spoke about a situation with two homeowners on Holbrook Street that wanted to tie into the sewer extension project. He said that this request had been considered prior to the commencement of the project, but the decision was made not to include it due to prohibitive cost. Mr. Crowley said the estimate to bring the sewer line to property line for the two homes would be approximately \$35,000. He said they would revisit the decision at the end of the project if funds were available.

Mr. Foresto wondered what the average cost was to pass each house. Mr. Crowley said that a manhole has been placed so it can be addressed at a later date. He added that the betterments would not cover the cost.

Mr. Trindade mentioned that there is an outstanding zoning issue that he would like the Building Inspector to address before his resignation becomes effective.

Mr. Crowley announced that there would be a Tri Centennial kickoff meeting at the Senior Center on June 2 at 7 PM. He requested that all Town officials be invited as well as any individuals that have expressed interest in serving on this committee. He also requested that that

awareness of the efforts of the committee be made known through notices posted on the Town's website and on cable.

The Board asked that a letter be sent to all elected officials to remind them of their obligation to attend Town Meeting, per Town Charter. The Selectmen noted that there has not been the attendance there should be and it is important to have the representation for these positions to answer any questions that may be posed by Town Meeting.

Mr. Crowley stated that he would be meeting with members of the Board of Water/Sewer Commissioners within the next two weeks to discuss the proposed water and sewer rates. He said the objective is to have these set prior to the Annual Town Meeting.

Mr. Crowley also mentioned there may be merit in asking Mr. Harry Johnson to remain on the Board of Assessors for another year or for some period of time until the new Principal Assessor has acclimated to the position. There was some discussion about the appropriateness of having Mr. Johnson continuing to serve as a board member. Mr. Dunne felt it should be made official if the decision is made to keep him on board.

One-Day Liquor License Request – St. Joseph Parish

Ms. Potter mentioned that St. Joseph Parish would like to host a dinner for 125 people, closed to the general public, at its center at 145 Holliston Street on May 30th, from 6:30 PM to midnight. A bartender from Mickey Cassidy's would be the alcohol server.

Mr. Trindade moved, seconded by Mr. Dunne, and it was unanimously

VOTED: to approve a one-day alcohol license for this event.

Mr. Foresto moved, seconded by Mr. Trindade, and it was unanimously

VOTED: to adjourn. It was 8:20 AM.

*Approved (7/13/09)

MINUTES OF THE SELECTMEN'S MEETING FINAL

June 1, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Andrew Espinosa, Selectmen Glenn Trindade, Rich Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

The meeting was called to order at 7:06pm

Public Comment: Paul DeSimone, CRPCD

Mr. DeSimone came before the Selectmen with a copy of a letter from the CRPCD that he put together and took to Jim Vallee's office regarding Shaw Street. He explained that there is a 100 feet of wash out. Selectman Trindade read the letter. Mr. DeSimone's letter explained the damage and that there is a sewer main that runs down the center of Shaw Street that may have damage if this roadwork is not repaired.

Selectman Dunne read a letter from Jim Vallee's office to the District 3 Highway Department in Worcester dated May 19, 2009. This letter explained that the Selectmen went to the site with Rep Vallee the day of the Fire Truck Dedication to show them (Dykema, Spilka and Vallee) the site and damage. A copy of the letter was given to Jeff Nutting as well.

Administrator Kennedy explained there might be emergency funds available from the Highway Department. Mr. D'Amico has been in touch with Jim Vallee and estimates for repairs have been submitted

Public Hearing – New Class II Car Dealers' License – MWAG Auto, Inc., 2 Main St.
Selectman Trindade moved that the Board open the public hearing; Selectman Dunne Seconded; no discussion; all ayes 5-0.

This is not a new business, it is strictly a licensing technically so the business can get auction licenses, and enables the corporation to function. Ms. Potter explained that there are estate issues with the property where the business is located. There is no limit to the number of licenses that can be given out. Ms. Potter explained there were no problems per town counsel. There will be no in-operable vehicles stored on the property.

Selectman Trindade moved that the Board approve the issuance of the new class II car dealers' license to MWAG Auto, Inc.; Selectman Foresto seconded; Discussion: Ms. Potter explained there will be no more or no less vehicles than what are housed there currently and the business will operate with the same sign and same building; all ayes 5-0.

Selectman Trindade moved that the Board close the public hearing at 7:20pm; Selectman Dunne seconded; no discussion; all ayes 5-0.

Contract Amendment (#2) with Tata and Howard for Modeling New Well and General Consulting

Selectman Trindade moved that the Board authorize the Chairman to execute the contract amendment #2 \$2,900, model new well; Selectman Foresto seconded;

Discussion:

This will assist the implementation of the flushing program if it moves forward.

POSTPONEMENT OF THE VOTE UNTIL AFTER THE FLUSHING DISCUSSION

Flushing Program Discussion

Administrator Kennedy explained that at our last discussion regarding flushing we discussed a risk assessment to flushing during the summer. She explained she had a brief conversation last week with Dave and Frank on the industrial well and it's operation. Frank reported some issues with the volume of pumping. The issue is on the industrial park well is the yield. They are trying to put all the answers together and are looking towards flushing in the fall.

Ms. Kennedy is going to set up a meeting with Haley & Ward, Frank and Dave to find out the yield on the pump. When the industrial well was put on line, it went to low alarm that shows a low level of yield. It is pumping 290 per min. and they were told it should pump 450 per min. She explained there are a lot of questions out there and this meeting will hopefully enable us to get the answers. It doesn't look like we will be able to flush in the summer regardless of what happens with the Oakland well. The hope is to possibly flush in the fall. An update will be presented at the next meeting.

Administrator Kennedy explained that a water rate increase needs to be approved in order to pay for flushing, if not, staff will need to be laid off in that department. She reminded the Selectmen that due to issues that arose the fall flushing was not completed.

Vote on the previous motion: 5-0.

Custom Copper & Slate, Ltd. Change order for Thayer Barn Restoration

Mr. D'Amico explained that as the sheathing was pulled off the barn, additional items in need of repair were discovered. After this change order there is about \$2000 left in the grant. Since a meeting at the site last week they have uncovered possibly \$10,000 in stone foundation issues that may be funded by CPC.

Selectman Trindade moved that the Board authorize the Chairman to execute change order #001 for \$6,800.00 to Custom Copper & Slate, Ltd. For Thayer Barn restoration; Selectman Foresto seconded; Discussion: Selectman Dunne wants to ensure there are no expenses over the grant amount; All ayes 4-0 (Selectman Crowley had left the room).

Street Acceptance Discussion-Andy Rodenhiser, Susy Affleck-Childs and Barbara Saint Andre, Town Counsel

Mr. Rodenhiser read a memorandum he wrote and sent from the Planning Board dated 6/1/09. He explained that previous town counsel had a different way of doing things; a more refined fashion has been developed. We are now holding a different standard. Town Counsel explained that things have evolved in the area of accepted ways. Over the years, the town has become more aware of the requirements. Each situation should be looked at individually. Town Counsel referred to her letter dated 5/28/09. This is all about easements. If the homeowner has a mortgage, it is a difficult process to get the banks to sign off on the easements. If we're going to accept these streets, there is not going to be an easy way to get these easements done. The drainage easements are being shown on the subdivision plans. If there is a drainage easement, she explained implied easements and that the easements are shown on the subdivision plans. She is more concerned with subsequent owners. Selectman Trindade asked the cost involved. It is believed to be about \$2000.00 per subdivision but depends on a lot of variables. The process being discussed now is only about cleaning up the old subdivision issues. The planning board is keeping a list and is being consistent in looking at each one individually.

Town Counsel is looking for a recommendation for Article 31 Street Acceptance based on the recommendation of the Planning Board and recommends the Selectmen vote to recommend acceptance of Ishmael (Freedom Trail and Independence Lane)

Selectman Dunne moved that the Board, based on the information supplied by the Planning Board, recommends at positive motion on Freedom Trail and Independence Lane at ATM on 5/16/09; Selectman Trindade seconded; no discussion; all ayes 4-0 (Selectman Crowley has not returned yet).

Water tank replacement program- Weston & Sampson

Bruce Adams-Weston & Sampson was present to discuss the water tank relative to the water system master plan. The tank conditions, available volume, rehab of existing v. replacement of the tank and the memo dated 5/29/09 were reviewed.

Lovering tank holds 1.9 to 2 million gallons; no rehab is needed to date. Highland tank holds 400K gallons and is nearing the end of useful life. The Town should consider doing something with it. Both of the previous two reports on the tanks were reviewed.

Currently there is 2.3 million gallons available but existing needs are equal to what have out there now.

Tank is still holding it's own, could put a few hundred thousand into it to keep it going for a few years.

Selectman Foresto asked if the tank is nursed along would there be any issue with paint breakdown. Mr. Adams believes there are minimal issues. He reviewed a timeline to get a new tank online is approximately 1 year and recommended a small glass fused to steel

to replace the Highland Street tank as it's a confined space. Hydraulically this site is well suited.

Mr. Adams offered that the concrete and glass-fused to steel are neck and neck. The aesthetic preference can be looked into in more detail. Most communities decide the type before going out to bid.

Selectman Foresto asked if there were going to be any issues with abutters. He explained that the well is about the same size, but may require removing some trees etc. A lot of issues need to be resolved.

Administrator Kennedy asked about painting, epoxy or urethane, and asked if there are any VOC issues with the paint used. Mr. Adam's explained the DEP's standards.

It was explained that the source of funding is unknown at this time and a Special Town Meeting in late summer could possibly be held.

Route 109 Project-Paul Yorkis and Dave D'Amico (Chan Rogers, not present)

Mr. Yorkis explained approximately 6-8 months ago the Selectmen met to talk about the renovations of Route 109 from Millis to Milford. This is moving at an expedited pace, and there is lot going on.

Mr. D'Amico highlighted the goal as the redevelopment of Route 109, in particular the business district. Initial focus was to get 109 renovated through the TIP process. Through Mr. Yorkis' efforts, we didn't have to go through the standard funding process. He explained that they have been trying since last July to garner the funds (design and construction) for the project.

The group has worked with Karen Spilka, Jim Vallee and Carolyn Dykema to obtain \$300K from a bill from the state. Because of the efforts of the BOS and letters that have been sent the \$300K is assured and is very much in play. It most likely will not be received in FY2009 but has been assured from Office of Administration and Finance that it's "in the mix". Not in our hands, but in play, while other projects have gone by the wayside.

Separate from the \$300,000 bill, Jim McGovern is supporting earmark funds of \$9.383 million as a high priority request, approved by congressman McGovern's office, and has been sent to a higher office. Congressman McGovern is keeping us up to date and has explained that we may not get the \$9.383 million all at once. We have received great guidance Mass Highway, who has approved our project. This has all happened in an incredibly short amount of time.

Copies of the presentation presented to the TIP were given to the Selectmen

There was a discussion on getting the project to 25% completion. It was suggested to use Ch 90 money or delay until after 7/1/09. There has also been money moved to Free Cash

to improve roadways and sidewalks. This money could be used as well. Mr. D'Amico is concerned with using money and having it be refunded later.

Selectman Crowley recommended that the Board move ahead with the RFP and make it contingent on funding from the state. Mr. Yourkis believes the \$300K will be approved for release but the project must be at 25% to get on the TIP and he would like that to happen before September. Chairman Espinosa believes that if we receive the 9.383 million we need to ready to move forward because it's not part of the TIP.

Selectman Dunne moved that the Board authorize the Chairman to send a letter as directed by Mr. D'Amico and Mr. Yourkis; Selectman Crowley seconded; no discussion; all ayes 4-0 (Selectman Trindade left at 8:40pm).

Carolyn Dykema and Michelle Goldberg (Karen Spilka's assistant) were at the TIP meeting and emphasized how important this is for not only Medway but for this region.

Tyler Technologies, Inc. contract amendment for Accounting Office consulting
Selectman Dunne moved that the Board authorize the Chairman to execute a contract amendment with Tyler Technologies, Inc; Selectman Foresto seconded; no discussion; all ayes 4-0.

Direct Energy contract for PSC Services and Electricity

This electrical contract is due to expire. Mr. Verdolino has previously worked on this, as the School Department has the majority of the use. If this contract is not signed within two days the Town will lose the bidding amount. This has been a very time consuming process and Town Counsel has resolved all of the language issues. Mr. D'Amico explained that this bulk power contract has been in effect for some time and the town has been added. A standard utility contract was presented. This one-year contract is a 10% savings compared to last year and includes all of the bigger town accounts.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Direct Energy for PSC Services and Electricity, pending approval by the Town Accountant and Town Counsel; Selectman Dunne Seconded; Discussion: Selectman Crowley asked why this is being presented two days before it must be signed. Administrator Kennedy explained there was a lot of "back and forth" with Town Counsel on this contract; vote 3-1 (Selectman Crowley was opposed due to the last minute presentation).

Bicycles Battling Cancer Route- American Cancer Society, New England Division

Selectman Dunne moved that the Board approve the bicycle route as presented; Selectman Foresto seconded; no discussion; all ayes 4-0.

Appointments:

There are many positions up for re-appointment as of 6/30/09. The appointment procedure was discussed and it was decided to only have those new to a position come before the Board for interviews.

Selectman Dunne moved that the Board only ask those that are new appointees come before the Board for an interview; Selectman Foresto seconded; no discussion; all ayes 4-0.

Warrants:

#48 dated 6/4/09

Total \$1,475,143.09

Selectman Dunne moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 4-0 (Selectman Trindade left early).

Minutes

2/18/09 Minutes: It was agreed that the meeting of 2/18/09 was not an official meeting as only two Selectmen were present. There is no need to approve the minutes but they will be kept in the budget development process file.

3/2/09 Minutes:

Selectman Foresto moved that the Board approve the minutes of 3/2/09 as amended; Selectman Espinosa seconded; no discussion; all ayes 4-0.

3/16/09 Minutes:

Selectman Foresto moved that the Board approve the minutes of 3/16/09 as amended; Selectman Crowley seconded; no discussion; all ayes 4-0.

4/13/09 Minutes:

Selectman Foresto moved that the Board approve the minutes of 4/13/09 as amended; Selectman Espinosa seconded; no discussion; all ayes 4-0.

4/21/09 Minutes:

Selectman Foresto moved that the Board approve the minutes of 4/21/09 as amended; Selectman Espinosa seconded; no discussion; all ayes 4-0.

4/17/09 Minutes:

Selectman Foresto moved that the Board approve the minutes of 4/27/09 as presented; Selectman Crowley seconded; no discussion; 3-0, Selectman Dunne was no present at this meeting.

Chairman Espinosa would like to move the meeting minute discussion/approval to the beginning of the meeting so as to review the previous meeting minutes and would like any old minutes to be discussed at the end of the meeting. Action items will also be discussed at the beginning of each meeting. Ms. Harrington will review this procedure with the Chairman.

Town Administrator's Report

The Administrator reported the resignation of the Building Inspector. She explained that interviews for this open position are being held this week and there has been a healthy response to the advertisement for this position.

The position of DPS Director has also been advertised and this to has received a healthy response.

Administrator Kennedy has set up weekly meetings with Dave D'Amico and Frank on all water department issues and they are looking into back flow testing soon.

Selectman Crowley is concerned that it may take a few weeks to get a replacement for the Building Inspector. Administrator Kennedy is aware of the magnitude and can't guarantee that she will have someone on staff right away, but is working on it to the best of her ability.

Selectmen's reports:

Selectman Foresto- nothing to report

Selectman Dunne-nothing to report

Selectman Crowley-Offered a reminder the first Medway 300 meeting is 7^{pm} 6/2 at the Medway Senior Center. This will be an informal kick off meeting.

Chairman Espinosa-The Town Clerk has a document that she is in the process of preparing which explains committee and committee member roles. This will document the responsibilities and laws governing committees etc. Information on Open meeting laws will be in the packet for each new member coming on board.

Selectman Dunne questioned the upcoming meeting schedule. Typically the Selectmen should meeting twice a month, but with numerous agenda items needing to be addressed, more meetings have been scheduled. Chairman Espinosa has been researching on how to move the meetings along faster and he asks for the cooperation of members and asked that they consider their own conduct during meetings, as this will help to move the meetings along. The hope is to get back to only two meetings per month.

The next meetings have been set for: 6/15, 6/29, 7/13, 7/27 and possibly an off site meeting to discuss goals in August.

Water meeting discussion:

It was announced that the new chairman of Water/Sewer Board is Cranston Rogers. Mr. Crowley explained that there was no discussion on the water rates.

There being no further business to discuss at 9:50pm, Selectman Foresto moved that the Board adjourn for the evening; Selectman Dunne seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING Final

June 15, 2009 6:31 pm

Room 111, Medway High School

Present: Chairman Andrew Espinosa, Selectmen Glenn Trindade, Rich Dunne, John Foresto and Dennis Crowley, Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington was present.

Absent:

The meeting was called to order at 6:31pm

Public Comment: None

Sewer Extension Project Update:

Administrator Kennedy advised that the Police Chief, Project Manager and Paul Sirios plan to go over the budget to actuals and they are planning for the worse case scenario. There may be an additional \$100k expense due to more rock and anticipate a review of the situation in two weeks. Police details may increase by \$30K and the oil spill cost \$80K to clean up.

Selectman Trindade arrived at 6:36pm.

Selectman Crowley explained there is an allowance of \$200K for a bid item for paving which could be used temporarily if the project ran over. All agreed that they would like to see the actual numbers sooner rather than later.

Town Counsel and Town Accountant arrived at 6:45pm

Trane Contract Update:

Selectman Foresto explained that he met with the Superintendent, Dave Verdolino and Chairman of the School Committee and they have not added anything to the contract over what the ESCO Committee agreed upon. Currently, there is no contract with the correct amount of money printed on it. It should be received tomorrow. There has not been given a notice to proceed to date. Mr. Verdolino will ask for the exact same amount as what was agreed to at Town Meeting and he will work with Trane to resolve some adjustments to the contract that need to be made. Mr. Verdolino told the group that met earlier that if there are adjustments to be made, he will take them out of his own budget.

Selectmen Trindade and Crowley believe the town should get a final look at the contract before it is signed.

A discussion took place on the school funding the extra money if it's not in their budget.

Town Clerk request for salary increase:

Selectman Trindade reviewed with the Board the facts he found while interviewing other towns of similar size.

Chairman Espinosa offered that the Selectmen already voted against this request, the Finance Committee voted against it and he would like to address what issues may come up on the floor and how to handle them as a group.

Mark Cerel, Town Moderator joined the meeting at 6:59pm.

Mr. Cerel advised that if the Board takes a position, one can speak for it. If each person has new information then they can all speak.

Mr. Espinosa believes that the Town Clerk should focus on her own position and why an increase is important and what changes should be made. Selectman Dunne agreed. Selectman Trindade believes that the Board's position on this item should be spelled out.

Chairman Espinosa would like this to be kept simple, that as a group we do not support this increase but if one of the Selectmen would like to speak and Mr. Cerel gives them that liberty we go from there.

FinCom Chairman Frank Faist joined the meeting at 7:05 and offered that no specifics were given as to the request for a pay increase. The Town Clerk went before the Fincom and asked for more money, Fincom voted to supposed the BOS and not give her an increase and she had not requested any additional staff hours for her department.

All agreed that the Town Clerk was asking at a very late date.

Article 34

A discussion took place regarding Article 34. Mr. Cerel will leave to the end of Town Meeting as there may be much discussion. It was stated that if an article is tabled it goes away after the meeting.

Article 31

Discussed Article 31 and it was mentioned there are issues with parcel D and vernal pools. ConCom has ongoing issues and Chairman Espinosa will try to speak with the ConCom Chairman about this.

It was also mentioned that there are issues with vernal pools on the Winthrop Street property soon to house the organic farm.

Attorney Saint Andre spoke to speaking on an issue as a member of a board or as a citizen. Chairman Espinosa's views are not representative of the board regarding the adult zoning article. It was agreed that if he chooses to speak to this issue he will do so at the back of the room at the microphone and state "I speak as a resident of the town". This will insure to residents that he is speaking as a resident not as a selectmen.

Warrants:

#50 dated 6/16/09

Total \$734,119.19

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne seconded; no discussion; all ayes 5-0.

At 7:18pm Chairman Espinosa moved that the Board adjourn to executive session for exemption reason number 6 "To consider the purchase exchange, lease or value of real property if discussion in open session may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation" with no intent to return to open session; Selectman Trindade seconded; Roll call vote: Selectman Foresto-aye, Selectman Dunne-aye; Selectman Trindade; aye; Chairman Espinosa-aye; Selectman Crowley-aye.

Respectfully submitted,
Wendy Harrington
Executive Assistant

*Approved 6-29-09

MINUTES OF THE SELECTMEN'S MEETING FINAL

June 29, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Vice Chairman Richard Dunne, Selectmen Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy.

Absent: Andrew Espinosa

The meeting was called to order at 7:00 PM

Public Comment

Wallace Arthur, 9-6 Kingson Ln, spoke in opposition to the conveyance of the 9 Walker Street deed to the Habitat for Humanity because it is a religious organization.

Mr. Arthur also had an issue with the number of different speed limits on a length of Summer Street. He feels it creates a safety issue. He said he spoke to Mr. D'Amico who agreed most of what he said, but had indicated that signage changes would require both state and federal approval. Mr. Arthur said he would appreciate the Board doing something about it before school starts in the fall.

Mr. Dunne responded to both issues. He stated that the Board would ensure that there is no conflict with regard to the religious status of Habitat for Humanity in the deed conveyance. As to the speed limit issue, he stated that when the road is finished the proper signage will be placed. Mr. D'Amico stated that paving will take place in August.

Rich McDaniel, 26 Karen Ave, addressed the Board regarding the ownership of a tree in front of his property that he paid to have removed. He stated the tree was damaged in the microburst four years ago. At that time, the Department of Public Services claimed the Town owned the tree and the damaged part was removed by the Town. He said the tree was damaged again recently, but this time the Town did not accept ownership. He said he paid to have it removed because it was dangerous to leave it as it was.

Mr. D'Amico stated that the official documentation shows the tree as belonging to Mr. McDaniel. However, the documentation leaves room for doubt. He said he would need something official that indicates it is the Town's before he could accept responsibility for the expense of removing it.

Mr. Dunne informed Mr. McDaniel that the Town would look into it and would be amenable to reimbursing Mr. McDaniel as long as the tree did belong to the Town. Mr. DeSimone, a licensed surveyor, agreed to submit a signed plan that clearly documented the Town's ownership of the tree.

Bond Anticipation Notes for Capital Projects

Selectman Trindade moved that the Board of Selectmen authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for

permission to borrow \$3,620,797 as a Bond Anticipation Note for the sewer project and the School ESCO project. The motion was seconded by Mr. Foresto and unanimously voted.

Grant Acceptance – MetroWest Community Health Care Foundation – Senior Wellness Program

Missy Dziczek presented the grant for a nurse, which is in its third year. The amount of the grant is \$19,307. She said it is a collaboration between Medway and Franklin.

Mr. Trindade moved, seconded by Mr. Crowley, that the Board of Selectmen authorize the Chairman to sign a contract with the MetroWest Community Health Care Foundation for a grant in the amount of \$19,307 to the Medway Council on Aging. It was unanimously voted following Mr. Crowley's questions below.

Mr. Crowley asked if anything has changed with the grant. Ms. Dziczek said it is for a lesser amount each year. He asked if it is costing the town more. She said it is not.

VADAR Systems, Inc. – Financial Software Renewal Agreement

Mr. Trindade moved, seconded by Mr. Foresto, that the Board of Selectmen authorize the Chairman to sign an agreement between the Town and VADAR Systems for financial software. It was unanimously voted.

Inter-municipal Agreement for Conservation Agent

Ms. Kennedy said the initial agreement was drafted by Holliston. Town Counsel suggested minor changes, to which Holliston agreed. She stated the Town has sufficient funds to have the individual on board for 15 hours per week.

Mr. Trindade moved to authorize the Chair to execute the inter-municipal agreement with Holliston. Mr. Crowley seconded the motion, and it was unanimously voted.

Mr. Crowley asked how much was budgeted for this. Ms. Kennedy responded that \$22,000 was budgeted.

Haley and Ward, Inc. – Contract for Populatic Well Re-Screening

Mr. Gregory Eldridge presented the engineering contract for the Populatic well re-screening. Mr. D'Amico said it is part of the Town's overall plan for water capacity. Ms. Kennedy added that the Oakland Street well cleaning is, too.

Mr. Crowley asked how much Populatic would cost. Mr. Eldridge responded it would cost \$80,000 to re-screen the well. Mr. Crowley asked about the cost of the Oakland well project. Mr. Eldridge said that is between \$15,000 and \$20,000. He then asked when the last time Populatic was re-screened. Mr. Eldridge replied that his estimation was never.

Mr. Trindade wondered why they are not doing something more at this site now. Mr. D'Amico said the first priority is capacity. Mr. Trindade worried the well might overheat and the Town would lose that as a water source. He wants to address these issues.

Asked about the engineering cost, Mr. Eldridge said it was expected to be \$26,800. Mr. Crowley mentioned that the well re-screening was not accounted for in the rates and to do anymore at the moment would likely be cost prohibitive.

Mr. Trindade moved, seconded by Mr. Foresto, that the Chairman be authorized to execute a contract with Haley and Ward for the Populatic well re-screening.

Potential Sewer Project Change Order – Temp. Water for Alder Street

Project Manager Dave Aimola, Paul Sirois and Jack O’Connell, representing Tata and Howard, and Public Services Director Dave D’Amico were present to discuss the need for temporary water on Alder Street. Mr. Sirois explained that recent testing has shown that the water and gas lines do not run according to the plans they have, likely because of the granite that would have impeded installation. He said the construction could cause the lines to be broken unexpectedly as they go up this road and the best solution appears to be to place temporary water lines to minimize the impact to the residents on this street.

Mr. Dunne asked what the cost would be. Mr. Aimola said they would like to establish a not to exceed amount of \$35,000 to keep the project going, but it would ultimately exceed that amount. Mr. Dunne thought they should approve an amount they would need overall, rather than this initial amount. Mr. D’Amico said they are in the midst of putting the costs together now. Mr. Aimola said the point of their presence tonight is simply to keep the process going.

Mr. Crowley asked if this was a foreseen event. Mr. Sirois answered that Dig Safe and recent tests diverge from the original drawing through a segment. Mr. D’Amico said the pipe does wander, probably because the project was done to minimize expenses.

Mr. Trindade moved to authorize Change Order No. 3 for an amount not to exceed \$35,000 for the purpose of placing temporary water pipes. Mr. Crowley seconded and the vote was unanimous.

Mr. Crowley noted the Alder Street construction could have also affected residents on Fox Run and Blue Ribbon.

Emergency Transfer Request – Conservation Commission

Ms. Kennedy said the Town Accountant discovered an anticipated cost overrun for the Conservation Commission’s salary line item and advised the commission to bring an emergency transfer request before the Board and the Finance Committee as soon as possible. The amount requested is \$139.67 and must be executed by July 10 due to the conclusion of the fiscal year.

Mr. Trindade moved that the Board approve the emergency transfer request from the Conservation Commission in the amount of \$139.67. Mr. Foresto seconded the motion and it was unanimously voted.

Announcement of Finance Committee Appointments

Mark Cerel and Frank Faist, members of the Finance Committee Selection Committee, announced four appointments to the Finance Committee. Mr. Cerel stated that there are five openings this year, three due to expiring terms, one due to a resignation and another due to election to another committee. He said the selection committee received eight resumes and from these chose for three year terms: Cynthia Carle, Anthony Pacholec, Martin Dietrich. Rondi Chapman was appointed to a two year term. Mr. Cerel stated that the eighth individual is scheduled to be interviewed on the 30th. Mr. Cerel said he would recommend that the individuals not appointed to the Finance Committee be considered for membership on the Capital Improvement Committee. Mr. Crowley asked that their resumes be forwarded to the Selectmen after the Finance Committee appointment process is concluded.

9 Walker Street Deed Conveyance to Habitat for Humanity

Susy Affleck-Childs introduced Gerry McDermott, Executive Director of South Shore Habitat for Humanity, and Ron Yates, Chairman of the Tri Valley Local Partnership Committee of the South Shore Habitat for Humanity. She said the reason they were here this evening was to act on the deed for 9 Walker Street.

Mr. Dunne raised the resident's concern about the Habitat for Humanity's religious orientation expressed in public participation. There was discussion as to whether the Town was passing property to a religious organization. Mr. McDermott responded that although the organization has its foundations in Christianity, they are an affiliate of this organization and welcome all faiths and those without any. He added that those that receive homes are never asked what their religion is. He also noted that Habitat is supported by State agencies and federal HUD funding.

A two by four was presented to the Board for the members' signatures. Mr. McDermott said the board would be incorporated into the home built at 9 Walker Street.

Mr. Trindade moved to convey a deed for 9 Walker Street to the South Shore Habitat for Humanity. The motion was seconded by Mr. Foresto. Mr. Dunne proposed an amendment to the motion that the property disposition will not be based on religion. Mr. Trindade accepted the amendment. It was unanimously voted.

Mr. Trindade asked when Habitat would begin building. Mr. McDermott said building would begin in October and a family would be in the house in the spring.

Draft Open Space and Recreation Plan Presentation

Gino Carlucci, Planning Consultant, and John Schroeder, Open Space Committee Chair, presented the draft Open Space and Recreation Plan. Mr. Carlucci provided a quick overview of the plan. He said the main reasons for doing this plan were to take a look at the Town's remaining open spaces and develop priorities for protection of habitats and to make the Town eligible to receive grants for open space preservation. He said that because Medway has adopted the Community Preservation Act, it can get matching grants.

Mr. Carlucci said the plan consists of demographic and environmental information, including water resources and rare species, and an inventory of existing open space and recreation land. He noted that Medway falls short in the area of protected open space compared with other towns. He said Medway has 321 acres protected while Franklin and Bellingham have 1500 acres protected. He acknowledged that these communities have state land and land in non profit trust, but said Medway is similar in size to Bellingham and yet Bellingham has five times as much protected open space. Medway has only 5% protected open space.

Mr. Schroeder reviewed the plan's goals:

1. Identify and protect undeveloped land that directly affects aquifers and groundwater, wildlife habitats, ponds and waterways. Schroeder reviewed.
2. Provide and maintain a diversity of conservation and recreation land uses, with opportunities for both passive and active recreation.
3. Promote the development and maintenance of trails and trail linkages.
4. Provide outreach to increase awareness among residents of the range of Medway's open space and recreational assets.
5. Develop and maintain an active community culture of open space acquisition and habitat preservation.
6. Encourage compact development to reduce sprawl.
7. Facilitate the stewardship of open spaces and recreation facilities.

He said there are measurable objectives attached to each goal.

Mr. Dunne asked if there is privately held land that is protected from development. Mr. Schroeder said there is no way of knowing whether such land is going to be developed. Mr. Schroeder said that protected does not mean the Town owns it. It means the Town has some right to ensure it remains open space.

Mr. Dunne asked if there is money available to buy open space. Mr. Schroeder said they are working with a trust for open space land acquisition and would be coming before Board eventually to talk about what the trust has to offer. He said there are opportunities to protect open space through private land trusts, private investors and CPA funds.

Mr. Carlucci said the Open Space Committee would be asking for a letter of support from the Board to submit to the state.

Mr. Trindade commended the Open Space Committee for its efforts and singled out Mr. Schroeder for his dedication and commitment.

Historical Commission Presentation – Thayer House/Camp Sunshine

Rob Pomponio, Chairman of the Medway Historical Commission, discussed the work that has been done on the properties at 2B Oak Street. He said they have made a lot of progress on the barn and house. It has been slow, but the contractors have done a good

job. He apologized for not submitting a formal report to the Board, but said they do have architectural pictures. Mr. Dunne asked that they be made available in the Clerk's Office and on the website for residents to see. Mr. Pomponio said they would work on that.

Mr. Dunne asked how the barn work has gone. Mr. Pomponio said they hit some rot and a few other structural issues, but the joinery work that timber framers have done is phenomenal. He said that going forward they will have something that will stand for another couple of hundred years.

Regarding Camp Sunshine's interest in utilizing the Thayer House, Mr. Pomponio said that the Historical Commission was going to work directly with the board, but have not had much interaction on the subject. Mr. Crowley said there have been basic discussions with Camp Sunshine. Mr. Cerel stated that the Community Preservation Committee (CPC) had the last conversation with the Camp Sunshine group. He said his understanding of the group's original intention was that it wanted to put a sympathetic addition on the house or convert the barn for its use. He said what the group came back with was a free standing structure on the back of the property, which is not what the CPC had in mind. He said it became clear that there was nothing about the project would benefit the property.

Mr. Dunne asked about future use for the community. Mr. Cerel said that was supported by a sympathetic addition or barn use, which the group is not proposing to do. Mr. Crowley said it boils down to financing and they are trying to get that sorted out. Mr. Dunne asked who among the Selectmen was taking responsibility for this. Mr. Crowley said he and Mr. Trindade were. Mr. Cerel said that a parallel to the Medfield Historical Society's Dwight-Derby House was being encouraged for the Thayer House. He said he is hoping such an organization would take over the house and barn and develop a multi-use facility.

Mr. Dunne asked where they are financially with the property. Mr. D'Amico said that the \$200,000 is mostly used up. He said the change order cost \$100,000. He said the CPC gave the project an additional \$20,000 and there is another \$100,000 remaining, which should cover what remains to be done.

Mr. Cerel said the Thayer House needs to be self supporting. He suggested it may need to become a subdivision with a historic restriction and some dedicated open space for the Town. He added that is not his first choice, but without a plan of action, there does not appear to be other viable options. Ms. Kennedy said no one has made a reasonable proposal to the Town. Mr. Dunne said this is a message to the community that time is running out.

Ms. Dziczek said she was here this evening as a Parks Commission representative. She said they will be doing the farmer's market at the Thayer Property and will take care while on the property. Mr. Pomponio said the farmer's market helps to give some visibility to the site. He mentioned that an Eagle Scout has been working on project to

put a historical information site there. Mr. Pomponio said Mr. Hooper and his group have had productive meetings about bringing this together.

Approval of Warrants

Mr. Crowley read warrant #52, dated 7/2/09. The total amount of Town bills, general fund charge was \$226,963.77.

Mr. Trindade moved approval as read. Mr. Dunne seconded the motion and it was unanimously voted.

Approval of Minutes

Mr. Trindade moved, seconded by Mr. Dunne, to approve the June 15, 2009 minutes. The vote was unanimous.

Action Items for Next Meeting

This item was deferred until the Chair's return.

Town Administrator's Report

The Town Administrator had three items to discuss. The first related to Town Meeting's approval to purchase water meters. She stated that the Dept. of Environmental Protection approved the Town's water permit at a reduced amount. She reviewed the three reasons that contribute to water use that cannot be accounted for and said that meter accuracy and over-sized meters have contributed significantly to the Town's unidentified water use as identified by a Haley and Ward water audit report completed in 2003. Ms. Kennedy said she appreciates the Town's approval of the meter purchase. She added that between the new water meters and a leak detection plan the Town should be in a position to much more accurately account for its water.

Mr. Trindade stated that the Route 495 Partnership has a contract at a discounted rate to do leak detection. Ms. Kennedy said the first step would be to apply for the state grant to fund the project.

Ms. Kennedy informed the Board that the Senate Conference Committee's budget had a total net impact on Medway of \$174,424. She said it is a reduction in State aid, principally in Chapter 70 funding. She said the Town would be presenting a strategy to accommodate the reduction. Mr. Foresto asked about the impact of the decreased Quinn bill funding. Ms. Kennedy responded that nothing has changed since the last accounting of the State's funding of this line item.

Mr. Trindade asked where they are with the building inspector. Ms. Kennedy said screening committee has conducted interviews and she will be doing final interviews next week. She remarked that the interim commissioner has been doing a great job.

Mr. Trindade asked about the status of the DPS Director search. Ms. Kennedy responded that the screening committee has been formed, but interviews have not yet begun. She said a final decision would probably be made in August.

Mr. Trindade asked whether there is a list of streets that will be paved this summer. Mr. D'Amico said the problem with producing a list is that Shaw Street and other issues may impact how much funding they have for the paving.

Ms. Kennedy announced that through the efforts of Rep. Vallee, Senator Spilka and Rep. Dykema the Town would be receiving \$440,000 in State aid for the Shaw Street repair. She said the legislative delegation will try to get money on top of that for the engineering design work.

Mr. Dunne discussed grant writing for the Town, which he noted would be contracted based on the necessary expertise. He said that if it proves to be cost effective they will continue funding this endeavor in future years. Ms. Kennedy said she is going to talk to a few people to get advice as to what Medway can apply for. Mr. Foresto said there is definitely money for energy and technology.

Selectmen's reports:

Selectman Foresto said that the idea of putting together a steering committee for the Town's 300th anniversary in 2013 was discussed at the kickoff meeting. However, at the second meeting last week, a steering committee did not come together. The attendees preferred to have the Board of Selectmen appoint one. Mr. Foresto requested the community's engagement in this historic event. He stated he would like the Board to make appointments to a seven member committee as of September 1. He said he has original 275 and 250 programming to use as a starting point for the 300th planning. He also mentioned that he started a website to build around the Medway 300. He is looking for themes and projects to focus on as the Town approaches this anniversary.

Mr. Foresto reported that an architect was brought in to do walk through of Town Hall to look at how the Town might better manage space within the building. He said depending on how much work is done they may have to bring some items up to code. He said they need to plan carefully and should be prepared for the possibility of a hefty price tag if they intend to make lasting improvements.

Selectman Trindade noted that the stationery needs to be changed to reflect the current chair. He also reported that he attended an Eagle Scout ceremony for Andrew Collegio and Taha Saifullah over the weekend. He spoke about their projects and how the Town benefits from what these scouts do.

Selectman Crowley asked about the status of the Trane contract. Ms. Kennedy said it is signed and ready to go. Mr. D'Amico said that he has seen their trucks in the parking lot. Mr. Foresto added that appropriate contract review has taken place.

Mr. Crowley also mentioned a recent letter to editor he saw in the *Milford Daily News*. He said the author had a misconception that the new sewer enterprise account was circumventing Proposition 2½; it was a sleight of hand to increase amount of levy by offsetting \$326,000 allocated to this fund. Mr. Crowley stated that public meetings were

held regarding the proposal to change the accounting of the sewer budget to an enterprise fund. He said the enterprise account has no impact on the levy. He said the revenue dedicated to the fund has been reduced by the same amount in the general fund. He said it was a well written letter, but contained misinformation. He thought the whole matter may not have been explained to the public as well as it could have been, and perhaps it should be addressed by a letter to the residents.

Ms. Kennedy stated that one of the reasons for the enterprise fund is to properly account for the use of the service. She said it is the user that pays. Mr. Crowley offered a brief explanation of how an enterprise account works.

Selectman Dunne congratulated Medway youth soccer on an outstanding performance over the weekend.

Mr. Trindade moved, seconded by Mr. Dunne to enter into executive session under exemption three, to discuss strategy with respect to collective bargaining, with the intent to return to open session for the purpose of convening a second, separate executive session. It was so voted by roll call: Mr. Foresto – aye, Mr. Trindade – aye, Mr. Crowley – aye, and Mr. Dunne – aye.

It was 8:50 PM.

In public session, a motion was made by Mr. Trindade and seconded by Mr. Dunne to enter into executive session under exemption number six to consider the purchase exchange, lease or value of real property if discussion in open session may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation, with no intent to return to open session. It was so voted by roll call: Selectman Foresto-aye, Selectman Trindade-aye, Selectman Crowley-aye, and Selectman Dunne-aye.

It was 9:00 PM.

*Approved 7/13/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

July 13, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Richard Dunne

The meeting was called to order at 7:10 PM

There was no cable signal, so the meeting did not air live and it was not taped.

Joint Meeting with the Board of Health-Appointment to Board of Health

Members from the Board of Health (BOH) were present. After a discussion on the appointment of the Board of Health's suggested candidate, it was determined that a formal process of advertising the opening was not followed. The Selectmen took the BOH's recommendation under advisement, the open position will be advertised through the Town's website and the Selectmen will vote on this appointment at their July 27th meeting. Administrator Kennedy will consult with Town Counsel to ensure the correct process is followed as it pertains to the Charter. She was unsure if it is necessary for the BOH to attend the July 27th meeting.

Public comment: None

Approval of Minutes-Regular Session

Selectman Trindade moved that the Board approve the June 29, 2009 Minutes; Selectman Foresto seconded; no discussion; all ayes 3-0 (Selectman Foresto absent from the 6/29/09 meeting).

Acceptance of Deeds Related to Ishmael Coffee Estates Street Acceptances

Susy Affleck-Childs came before the Board to seek signatures on the Deeds and the Street Acceptance Plan. There was no need for approval/motion as these were approved through a Town Meeting vote. All present signed the Deed signature pages and the Street Acceptance Plan.

Appointments

Administrator Kennedy reviewed a spreadsheet and the appointment process. Andrew Boysen was present to speak on his campaign for the Affordable Housing Committee. He was the only candidate for this open position. ***Selectman Crowley moved that the Board appoint Andrew Boysen for a three-year term on the Affordable Housing Committee; Selectman Trindade seconded; no discussion; all ayes 4-0***

Barbara Horowitz came before the Board to discuss her appointment to the Board of Registrars. The Board appointed her on the recommendation of the Medway Democratic

Town Committee. ***Selectman Trindade moved that the Board appoint Barbara Horowitz for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0.***

Richard Briggs introduced himself and discussed his desire to be appointed to the CIPC. Mr. Briggs is interested in public administration and is pursuing a master's in this area. It was explained that there are five candidates for two CIPC positions. Not all were available to attend this evening and the Selectmen decided they would like the input of CIPC to help them determine the candidates best suited for these open positions. Mrs. Harrington will notify the CIPC chair and ask for their recommendations so that the Board can meet the other candidates and vote on appointments at the July 27, 2009 meeting.

Selectman Trindade moved that the Board appoint Peter Ciolek to the Memorial Committee for a one year term; Chairman Espinosa seconded; no discussion; all ayes 4-0. Mr. Ciolek was not present.

Selectman Trindade moved that the Board re-appoint Brutus Cantoreggi for a three-year term as Tree Warden/Moth Agent; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board re-appoint Ralph Caton for a three year term on the Affordable Housing Committee; Selectman Foresto seconded; no discussion; all ayes; 4-0.

Selectman Crowley moved that the Board re-appoint Florence Mucci for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0

Selectman Crowley moved that the Board re-appoint Christine Lorenzen for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0

After a brief discussion it was decided that all three candidates for re-appointment (Ken McKay, Brian Snow and David Travalini) to the Conservation Commission would be invited to attend the next meeting on July 27, 2009.

Selectman Crowley moved that the Board re-appoint Veronica Clark for a three-year term on the Council on Aging; Selectman Foresto seconded; no discussion; all ayes 4-0.

Administrator Kennedy offered a description of the Educational Fund Committee. Some members were curious as to their goals and it was decided they would be invited to attend the next meeting, discuss their objectives and their re-appointments.

Selectman Trindade moved that the Board re-appoint Grace Hoag to a three-year position on the Historical Commission; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board re-appoint Anne Codman to a three-year term on the Medway Cultural Council; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board re-appoint Wayne Jannell to a one-year term on the Medway Pride Day Committee; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board re-appoint Robert Goode, Harry Johnson, Allen Tingley, Michael Matondi, Fred Tingley, Gordon Crosby, Patricia Misiuk and Joseph Ebert to a one-year term on the Memorial Committee; Selectman Foresto seconded; no discussion; all ayes 4-0.

Administrator Kennedy offered that there are open positions on some committees, those openings will be posted on Medway Cable and the Town website.

Authorization of Chairman to Execute Inter-municipal Agreement for Public Health Assistance Mutual Aid-Public Health Emergency Preparedness Coalition

Bill Fisher, Health Agent and Ken Geekus, Consultant Region II Emergency Preparedness were present and would like Medway to become part of the mutual aide agreement. Administrator Kennedy consulted with Town Counsel, she wrote an opinion (as with all contracts), although she knows that final recommendation is up to the Selectmen. Town Counsel recognizes that some of the issues are not obtainable.

Selectman Trindade moved that the Board Authorize the Chairman to execute an Intermunicipal Agreement for public health assistance mutual aid with the stipulation that the designee is the Town Administrator or her designee; Selectman Foresto seconded; Discussion: Selectman Crowley asked Administrator Kennedy her opinion and she said so long as she can have a designee she is fine with this decision; all ayes 4-0.

Approval-Bicycle Route for Braking the Cycle- Sept 11, 2009

Selectman Trindade moved that the Board approve the bicycle route for September 11, 2009; Selectman Foresto seconded; Discussion: all approvals have been received; all ayes 4-0.

Authorization of Chairman to Execute Change Order No 2 for the Sewer Extension Project and Update on the Sewer Extension Project

Dave Aimola, Project Manager, Dave D'Amico, DPS Director

The project is slightly behind schedule due to the weather. At the last meeting the BOS approved Change Order # 3 for \$35,000 to finish up Alder Street, which was for temporary water service. This water service has been installed so that every day the water isn't being turned on and off all day. The project is moving very slowly in this

area. The approval was for temporary service from West Street to Blue Ribbon and not to exceed \$35,000. In the interim the Water/Sewer Commission questioned if a new main should be put in while the trench is open and why not replace it with an iron pipe in lieu of PVC.

The area is not accurate on the plans and could incur more expense. It was suggested that the expense be paid for out of the water enterprise fund. Administrator Kennedy is not entirely sure there are enough funds to cover this expense in that account.

Administrator Kennedy believes the Selectmen should agree to approve and then do the accounting of the funds within the FY. Selectman Crowley thinks that all 5 Selectmen should be present to decide.

Dave Aimola walked the Selectmen through the Sewer Project Estimate to Complete Analysis dated 7/13/09. A very involved discussion took place explaining the spreadsheets.

There are alternatives: put back in with PVC and patch it or put iron. It has been recommended not to put in PVC. Mr. Aimola is looking for the approval of up to \$112,900K.

There are still a few areas that the rock is unknown on the easement area.
A discussion took place regarding the police detail overages
We could potentially be in the red by \$359,496.00 and will need to come up with that funding by the end of the project.

Dave D'Amico is concerned with the way the roads will be left when the project is completed. Selectman Crowley says that the contractor is obligated to put the roads back in the same condition when the project is finished. The contractor has been notified in writing that the roads are not acceptable. The contractor is on notice for compaction issues, will put the temporary paving on and hold final paving until after the winter. The contractor only owns the patch, not gutter to gutter paving.

Chairman Espinosa would like Dave D'Amico to look into the road paving and if it's going to suffice and report back for a future meeting.

Conservatively the project will be completed by November 1, 2009.

Selectman Crowley asked that the record be duly noted that the Selectmen are considering having the water/sewer commission pay the \$359,496 from the water enterprise account.

Selectman Crowley moved that the Board approve the amendment to change order #4, not to exceed \$112,900; Selectman Trindade seconded; no discussion; all ayes 4-0.

At 8:55pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel). With the intent to return to open session; Selectman Foresto seconded; no discussion; Roll Call Vote Trindade-aye; Foresto-aye; Espinosa-aye; Crowley-aye.

Selectman Trindade moved that the Board adjourn executive session at 10:00pm and return to open session; Selectman Foresto seconded; Roll call vote: Selectman Foresto-aye; Selectman Trindade-aye; Chairman Espinosa-aye; Selectman Crowley-aye.

Warrants dated 6/30/09 and 7/16/09 #52 and #02

Town bills \$1,606,240.84

School bills \$374,050.54

Total \$1,980,291.38

Selectman Trindade moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 4-0.

Approval of Minutes

Selectman Trindade moved that the Board approve the Minutes of 4/6/09; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 4/28/09 as revised; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 5/1/09; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 5/2/09 as amended; Chairman Espinosa seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 5/4/09 as amended; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 5/11/09; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 5/23/09; Selectman Foresto seconded; no discussion; all ayes 4-0.

Selectman Trindade moved that the Board approve the Minutes of 6/1/09; Chairman Espinosa seconded; no discussion; all ayes 4-0.

Town Administrator's Report

1. Administrator Kennedy explained that she has no appetite to adopt the local meals tax increase, however it could generate between \$135 and \$150K for the Town.
2. At the next meeting she will have a contract for the re-screening on Populatic and WhiteWater to do the hydrant maintenance and flushing in the early fall.

Selectmen's Reports

Trindade Would like to see communication refined and all communication reviewed by a management team member before being sent out to the residents. He was unhappy with the overall Water Quality Report which went out recently.

Foresto Final agreement with Comcast is almost complete, still in negotiations.

Crowley Would like to see a list of the streets that are to be paved. Administrator Kennedy will pass that on to Selectmen Crowley.

Selectman Crowley believes that Shaw Street is still "catch 22". Spilka's people are still helping and he believes MA Highway is convinced that there is an issue but no one knows where the money is.

Selectman Trindade will make some calls re: low interest loans for water/sewer projects.

The sewer rates went up, water rates went up. Selectman Crowley believes a letter of explanation should be sent to the residents. Administrator Kennedy will take care of this request and will send the letter to BOS to review.

Would like to have proclamations sent to businesses that have been in business for over 20 years.

The property next to Medway Oil will go out for bid and be addressed at the Fall Town Meeting.

Espinosa Would like to have a recognition ceremony for the water commission and those who have volunteered within the town and did not seek re-appointment. Administrator Kennedy will recommend some suggestions at the next meeting.

Selectman Trindade moved that the Board approve the Intermunicipal Contract between the Town of Franklin and Town of Medway for Medway to provide Library Administrative and Maintenance services to Medway; Selectman Crowley seconded; no discussion; all ayes 4-0.

There being no further business to discuss at 10:45pm Selectman Trindade moved that the Board adjourn for the evening; Selectman Foresto seconded; no discussion; all ayes 4-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 7/27/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

July 27, 2009 7:00 pm

Sanford Hall, Medway Town Hall

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, Richard Dunne, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 7:07 PM

Public Comment:

Paul DeSimone came before the Board to discuss his dismay with a building located at Oakland and Route 109 that is falling down. A member of the Board of Health believes there is a demolition order with the Building Inspector. Mr. Fisher, Health Agent visited the site with the Building Inspector and believes the issue is with the Zoning Board currently and is slated to be torn down in September. Mr. DeSimone was advised that this is a building department issue and that his concerns will be investigated.

There was no cable signal, so the meeting did not air live and it was not taped.

Elder affairs grant expenditure

Missy Dzikczek explained that this is an annual grant.

Selectman Trindade moved that the Board authorize the Chairman to approve a grant from MA Executive Office of Elder Affairs for \$11,085.00; Selectman Dunne seconded; no discussion; all ayes 5-0.

Meeting Minutes of July 13, 2009

Selectman Trindade moved that the Board approve the minutes of July 13, 2009 as amended; Selectman Foresto seconded; no discussion; all ayes 3-0. (Selectman Dunne was not present at the 7/13/09 meeting).

National land bank Gregg Caporossi, Project Mgr, The Trust for Public Land and John Schroeder, Open Space

National Land Bank is a national non-profit organization whose mission is to conserve land for people. They help identify, acquire and fund property for conservation and foster a greater connection between people and the land where they live. They help communities achieve goals with funding through state and federal grant applications, as well as private capital campaigns. The land bank helps to acquire and convey properties but does not go into the chain of title, they put terms together, help finance and get property conveyed, at no cost to the town.

Mr. Schroeder has identified several parcels in town that the TPL could move forward to work on and Mr. Schroeder would like to see the BOS vote to help to make this

relationship more formal. The Open space committee was unanimous in recommending the TPL to proceed.

Selectman Trindade suggested that a technical assistance letter should be drafted by the Open Space Committee, and approved by the Board of Selectmen that authorizes the TPL to come in and work with the Open Space Committee.

Emergency Management Performance Grant Chief Tingley and Chief Trufant

This grant is to pay for the Emergency Management Director and give the director the ability to update the emergency management plan, which has not been changed since 1998.

Selectman Trindade moved that the Board authorize the Chairman to sign the Emergency Management Performance grant; Selectman Foresto seconded;

Discussion: Selectman Crowley confirmed there is no matching capital to be concerned with, this is a FEMA grant to Massachusetts; all ayes 5-0.

Appointment of Board of Health Member Mike Heavey and Robert Collum, Board of Health Members

Selectman Foresto moved that the Board appoint Kathleen McCarthy to the Board of Health; Selectman Trindade seconded; no discussion; Roll call vote: Foresto-aye; Trindade-aye; Dunne-aye; Espinosa-aye; Crowley-ayes; Hoban-aye; Collum-aye. It should be duly noted that the Board of Health unanimously voted to appoint Kathleen McCarthy.

Capital Improvement Plan Committee Appointments

CIPC met with all candidates and they voted to recommend Richard Briggs, Bruce Hamblin and Peter Sigrist. Justin Windus and Bill Moore were also strong candidates.

Bruce Hamblin was present to offer his background for review. Justin Windus was also present and Chairman Espinosa welcomed his enthusiasm, Selectman Crowley will set up a time for them to meet and chat about possible committees openings.

Selectman Trindade moved that the Board appoint Richard Briggs and Bruce Hamblin to the CIPC both for 4 year terms; Selectman Dunne seconded; no discussion; all ayes 5-0.

Cemetery Commission Appointment

Selectman Trindade moved that the Board appoint Bruce Hamblin to a one year term on the Cemetery Commission; Selectman Foresto seconded; no discussion; all ayes 5-0.

Medway Community Farm Liaison Committee

Selectman Trindade moved that the Board create a Medway Community Farm Liaison Committee; Selectman Dunne seconded; Discussion: number of seats needs to be defined consisting of 7 citizens; Selectman Trindade amended this motion; all ayes 5-0.

Selectman Trindade moved that the Board appoint Phyllis Cerel, Bob Tucker, Patrick McHullam, Dennis Crowley, David Kaeli, Susan Rorke, Rich Dunne to an unspecified term length to the Medway Community Farm Liaison Committee; Selectman Foresto seconded; no discussion; all ayes 3-0 (Dunne and Crowley abstained).

Ms. Affleck-Childs will get a meeting organized in August.

Educational Fund Appointments-Dr. Evans provided backup information since the last meeting, she has met with this group, and correspondence was included in the Selectmen's packet.

Selectman Trindade moved that the Board re-appoint Marion Cole and Lou-Ellen Maiorana to the Educational Fund Committee; Selectman Foresto seconded; no discussion; all ayes 5-0.

There remains an opening on the Board of Assessors. This position will be advertised and any candidate will be asked to attend a future meeting for appointment.

The appointments to the Conservation Commission will be held for a future meeting.

Water department matters

It has been recommended by WhiteWater to begin hydrant flushing August 3, 2009. The initial phase is hydrant maintenance as well as a training program for staff. This will take a few weeks and then be followed by the flushing program. The first few flushes will be worse than in the past. It was suggested that the plans and a timeline be posted to the website for residents to view. Going forward the hydrant maintenance will be done by town staff, but flushing will depend on who/when etc.

Advertising alternatives were discussed and will be addressed.

Hydrant maintenance

A database will be set up from the data obtained; the assistant superintendent will be involved and trained for future maintenance.

Selectman Trindade moved that the Board authorize the Chairman to enter into a hydrant inspection and maintenance program, by and between WhiteWater, Inc. and the Town of Medway not to exceed \$35,000; Selectman Dunne seconded; No discussion; all ayes 5-0.

Cross connection

A new vendor is needed for cross connection for businesses as required by DEP. Businesses must be inspected for cross connection control. The vendor previously used is no longer available. The cost will be approximately \$10,000 for approximately 200 businesses.

Selectman Dunne moved that the Board authorize the chair to enter into an agreement for a consulting of a Cross Connection Control Program by and between Water Safety Services, Inc. and the Town of Medway for \$30/survey, \$33/test, not to exceed \$15,000;

Selectman Trindade seconded; Discussion: is this money in the rate schedule, Dave D'Amico informed the Board that it is; all ayes 5-0.

Oakland well cleaning Greg Eldridge, Tata & Howard was present

Until a few years ago Oakland Street well provided the largest amount of water for this town. Running this well continuously hurt the water quality. With the new wells online, Medway shouldn't have to rely on Oakland. We don't want to abandon this well, but if the usage can be cut down this will limit the contamination. The overall goal is to get the other wells up to where they should be. Oakland should be cleaned and only run a short amount of time each day.

Mr. Eldridge explained his recommendations for bids for the cleaning of the Oakland Well. Specialized Acid Treatment was explained. This plan is to clean the well to raise the production flow. It is not a conventional clean. If it doesn't work we will go back to the conventional clean. There are old articles that could be used to fund the cleaning.

Selectman Trindade moved that the Board authorize the chairman to enter into an agreement with FG Sullivan for well cleaning of the Oakland Street well, not to exceed \$49,614, with the final amount based on performance of said cleaning; Selectman Dunne seconded; Discussion: If the specialized acid doesn't work after the first day, will go back to the conventional means and the not to exceed covers the costs 5-0.

The water main on industrial park road well is complete, with the water main having been activated. Mr. Eldridge is reviewing a Change Order from the contractor. Pulverizing and repaving is all that is remaining.

Scada is being installed at two tanks. The enclosures are up at the two tanks, contractors working on it, panels are being built right now. Target date to start up is Sept the equipment is being installed in August. Selectman Crowley wants to make sure the training and manpower is all covered. Selectman Trindade mentioned the lack of air conditioning at the Populatic well. This issue will be addressed.

Populatic well-There are minor revisions to the engineering, which needs to be taken care of, Mr. Eldridge will address.

Sewer Project update on roadwork Dave Aimola

Mr. Aimola addressed the Board on the road updates and finances. The article in paper was correct there is an over run in rock, we have always known about it, this is in areas that were not probed, because the easements weren't in place. We didn't know it was there because there were no probes done.

Progress:

Crew #1 is working on West Street. They are blasting 3-4 blasts per day, but we knew they would be slow in this area. Crew #2 turned up onto Alder Street. They moved up to Trotter to put in temporary water and probing ahead of the other crew. The temporary water is installed. Tata & Howard are working on a punch list now so everything keeps

moving. Making a request to get the service connections done before school starts, to eliminate detail costs and traffic issues with school buses.

Change Order #2 discussed at the last meeting was finalized, the contractor asked for 35 days, Tata & Howard gave them 14 days.

Change Order #3 is a placeholder, probably coming in at about \$25,000 for drain and guardrail

Change Order #4 water main, not to exceed \$112,900. Selectman Dunne asked if this is a water or sewer line item. Administrator Kennedy spoke to the fiscal advisor and it was determined this is a sewer issue because it's a sewer project.

Paving-Dave D'Amico spoke to Paul Sirois at Haley and Ward. If stayed with in the 10 feet contractor is responsible. If the contractor goes beyond the 10 feet, to say remove a boulder it was his choice to make the trench bigger, thus his expense. We don't have a paving number at this time. The contractor could turn the final paving back over to the town and adjust the cost of the contractor. Dave Aimola suggests that temporary paving be done and then wait on the final paving over at least one winter.

Shaw street update-

There are conservation issues that have been placed on the August 6, 2009 ConCom agenda. Working on getting borings this week, to do some engineering, \$40K will complete the engineering. It is still a mystery where the money is at this point. Mr. D'Amico is working with MA Highway and Senator Spilka's office trying to get this taken care of. Preliminary negotiations are in the works with landowner's for easements to get this done. The new conservation agent will be included in this project. Brian Snow, Concom believes this will go smoothly.

2009/2010 paving

Mr. D'Amico has instructed Murray Paving to get those streets that are supposed to be done in 2009 done now. There is no schedule in hand. Mr. D'Amico is holding off on the 2010 streets, as he doesn't want to over commit. The contractor is backed up because of weather. Selectman Crowley wants these roads done now and wants the contractor to deal with his schedule now. Selectman Trindade wants the residents to be communicated to.

At 9:35pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel) and Exemption 6 (to consider the purchase, exchange, lease or value of Real Property, with the intent to return to public session. Selectman Foresto seconded; no discussion; Roll Call Vote Trindade-aye; Foresto-aye; Espinosa-aye; Crowley-aye; Dunne-aye.

At 10:26pm Selectman Trindade moved that the Board adjourn executive session and return to open session; Selectman Foresto seconded; Roll call vote: Selectman Foresto-aye; Selectman Trindade-aye; Chairman Espinosa-aye; Selectman Crowley-aye.

Meals Tax Discussion

Selectman Foresto moved that the Board not increase the meals and hotel tax; Selectman Trindade seconded; no discussion; all ayes 5-0.

Communication

Selectman Trindade will write up and volunteer some suggestions and ideas on how better to communicate with the residents, staff and media.

Warrants

Warrant #04

Town bills \$ 459,604.46

Total \$ 459,604.46

Selectman Trindade moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 5-0.

Action Items

Action items list was reviewed

Liaison assignments-assignments changed

Town Administrator's Report

1. A permanent FT building commissioner has been appointed.
2. Rating upgrade BAA1 to BAA- 4 jumps up
3. Met with Selectman Foresto, Dave Verdolino and Beth Greenblatt regarding Federal Stimulus monies.
4. A meeting is needed to discuss betterments.

Selectmen's Reports

Trindade- none

Foresto none

Crowley .none

Espinosa none

Dunne none

Selectman Trindade moved that the Board adjourn at 10:50pm; Selectman Dunne seconded; no discussion; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 9/21/09

MINUTES OF THE SELECTMEN MEETING FINAL

August 5, 2009

Sanford Hall, Town Hall 8:00 AM

Present: Chairman Andrew Espinosa, Dennis Crowley, Richard Dunne, Town Administrator Suzanne Kennedy, Treasurer/Collector Melanie Phillips, Human Resources Director Susan Ellis, and Carol Pratt, Town Accountant [8:45 AM].

8:00 AM – Chairman Espinosa called the duly posted Selectmen's meeting to order in Sanford Hall.

Approval of Bond Anticipation Note

Treasurer/Collector Melanie Phillips requested the Selectmen approve the BAN issue for the School ESCO borrowing. She noted this borrowing was authorized at the May 11, 2009 Town Meeting.

The amount of the bond is \$2,752,797. The low bid, submitted by Eastern Bank, was 1.5%. Ms. Phillips stated that with the premium of \$17,848.53 offered by the bank the net interest cost is reduced to .848%

Mr. Dunne moved, seconded by Mr. Crowley, and it was unanimously voted to award the BAN for \$2,752,797 with an issue date of August 17, 2009 to Eastern Bank at 1.5% interest rate and a net interest cost of .848%.

Approval of Bond Anticipation Note

Ms. Phillips also requested approval of the Sewer project BAN authorized at the May 12, 2003 Town Meeting. She stated the low bidder was again Eastern Bank at 1.55%.

Mr. Dunne moved, seconded by Mr. Crowley, and it was unanimously voted to award the BAN for \$868,000 with an issue date of August 17, 2009 to Eastern Bank at 1.55% interest rate and a net interest cost of 1.55%

Ms. Kennedy stated there was a need for executive session under exemption three. She stated that the Board may want to return to open session afterwards to discuss preliminary FY11 and 12 budget projections.

Mr. Crowley moved, seconded by Mr. Dunne, to go into executive session under exemption three with the possibility of returning to open session for the purpose stated above. It was so voted by roll call: Mr. Crowley – aye, Mr. Dunne – aye, Mr. Espinosa – aye.

Open session resumed at 8:40 AM following a roll call vote in executive session.

Discussion – Internal Controls for the Recycling Center at Broad Street Ext.

Ms. Kennedy stated that prior independent auditor reports have indicated a need to establish internal controls for the Recycling Center. She stated that it is difficult to accurately account for

the cash flow at the site and the recommendation is to no longer accept cash there. The Selectmen felt that the incoming Public Works Director should address this issue.

Discussion – Preliminary FY11 and FY12 Budget Projections

Town Accountant Carol Pratt distributed two documents relative to the budget projections for fiscal years 2011 and 2012. Ms. Kennedy said the document with the projections is the same as the April format. She said that the base for FY11 was determined by using the FY10 numbers and subtracting the non-recurring expenses. There was some discussion regarding the assumptions behind the numbers.

Mr. Dunne asked whether the Town was prepared to fund the full amount of the Quinn Bill. Ms. Pratt responded that the Town has always budgeted the full amount out of the general fund.

Ms. Kennedy stated that they level funded state aid FY11 and 12, which is 5% lower than the FY09 number. She noted that the concern is the unsustainability of the School Department budget in FY12 once the federal stimulus dollars disappear. The projected deficit is \$1.7 million.

Mr. Crowley stated he would like a more thorough review of the projections before they are presented to the School Committee. He also questioned how the federal stimulus money was accounted for in the budget projections. Ms. Kennedy referred the Board to page three of the Notes handout, and said that they could only assume it was the School Department's budget. She said they do not know what the actual final budget was, only what the Town allocated.

At 9:00 AM Mr. Crowley made a motion to adjourn. Mr. Dunne seconded the motion and it was so voted.

*Approved 9/21/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

August 14, 2009 8:00 am
Restaurant 45, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, Richard Dunne, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 8:05 AM

Public Comment: None

Town Business

Dave Aimola has advised Administrator Kennedy that there will be a Change Order #5 for the drain issue on West Street. This drainage area was not identified on the maps. Mr. Aimola is requesting authorization to sign off on Change Order #5 in the amount of \$28,756.00.

Administrator Kennedy advised that the project would be off the street within three weeks and before school starts. She reviewed the budget status dated 8/13/09, bottom line showing (\$363,363.16).

Selectman Trindade moved that the board approve Change Order #5, not to exceed \$28,756; Selectman Foresto seconded; no discussion; 4-1(Selectman Dunne opposed).

Selectman Dunne asked where the funds would come from to pay the shortfall. The Town's Fiscal Advisor agreed that the temporary/permanent water main replacement is attributable to the sewer project, thus it's appropriate to write off the expense to the bond for the sewer project.

Administrator Kennedy reviewed the status of the Munis conversion.

A discussion took place regarding setting up a meeting with the School Committee to discuss budget projections.

Goals and Objectives

Selectman Foresto reviewed the objectives that the board set two years ago.

Each Selectman and Administrator Kennedy gave a ten-minute review of their individual objectives for the coming year and why each objective should be a priority.

Goals and operations were classified and defined.

Another meeting was scheduled for Friday September 18, 2009 from 12:30 to 4:30 to complete the discussion of goals for FY10. Selectman Trindade will schedule the meeting to take place at Restraunt 45.

A discussion took place on betterment fees for the sewer project. Further discussion will take place at a future meeting.

At 12:08pm Selectman Trindade moved that the Board adjourn regular session for the day; Selectman Dunne seconded; no discussion; all ayes 5-0.

Respectfully submitted,
Wendy Harrington
Executive Assistant
Board of Selectmen

*Approved 9/21/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

September 8, 2009 6:00pm

School Committee Room, 45 Holliston Street, Medway Middle School, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dunne, Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 6:06PM

Conservation Commission: Ken McKay, Tony Biocchi, Dave Travalini, Glen Murphy, Brian Snow and Trish Brennan, Conservation Agent were present.

Chairman Espinosa explained that the discussion should be focused on the operations of the Conservation Commission, the issues at hand that the Board of Selectmen do not fully understand and would like to consider reducing the Commission size from seven to five. He feels that if the Board of Selectmen understand the operations, things may go more smoothly and may help to open lines of communication.. A discussion on re-appointments should also take place.

Administrator Kennedy explained that statute stipulates that the Commission cannot be less than 3 or more than 7 members and the Board of Selectmen can stipulate the number of members by bylaw.

The Commission explained an associate member and their role if a member is not in attendance. The operations were discussed to familiarize the Selectmen on the Conservation Commission.

Recent court actions were discussed. Town Counsel has suggested that if the Commission wants the Town's bylaws to be effective, they need to establish rules and regulations. The town bylaw is more stringent than the state law. As an example, State laws say the Commission has jurisdiction for a vernal pool. Town bylaw says they have jurisdiction 100 feet around the vernal pool. The rules and regulations would define what can and can't be done within the 100 feet. The rules and regulations offer a means and method to work within the bylaw already in place. The rules and regulations define the bylaw or add detail.

Chairman Espinosa asked the Commission to please consider better acts of customer service in dealing with issues going on in the town. Starting meetings when posted, getting a quorum, notifying residents if meetings will not take place and airing meetings on cable/video taping were all discussed.

Mr. Snow offered that there has been no agent, which has been addressed. Meetings and quorums were discussed as well. Issues with the sewer project were also discussed.

Selectmen Crowley reiterated and asked that meetings start on time, get a quorum to the meetings and tape or go public with meetings. Brian Snow explained that the equipment doesn't work well. The Commission has been asked to please try to get televised and/or taped, so the tapes could be viewed.

Selectman Crowley asked that a public meeting take place so these issues could be discussed again and so the new rules and regulations could be reviewed. He would also like to see the red lined version and he would like to know where the original version came from. He asked if the Commission would be receptive to changes to the rules and regulations if so requested by a resident at a public meeting. A member of the Commission told him that if the request were reasonable they would consider. Mr. Snow explained there would be no changes to the 100 foot buffer zone.

Public Comment: Jeff Devolder, School Committee was present and asked if the Selectmen would be willing to discuss issues with the Kelley Street parking lot at the Middle School. Chairman Espinosa advised this matter would be discussed later in the meeting.

John Emidy, Building Inspector Introduction Mr. Emidy was present to be introduced to the Selectmen. Administrator Kennedy offered Mr. Emidy's background.

Selectman Trindade asked his opinion on the Town's sign bylaw. Mr. Emidy says he acts on complaints and will enforce the bylaws as appropriate. Mr. Emidy is focusing on court cases of unappealing properties (aka Blight areas) and will be looking at the sign bylaws in the very near future. Blight areas include Sanford and Village, a barn on Winthrop Street and a caved in garage on Milford Street.

Approval of 8/20/09 Minutes

Selectman Trindade moved that the Board approve the 8/20/09 minutes; Seconded by Selectman Foresto; no discussion; all ayes 4-0, Selectman Dunne abstained, as he was not present at the 8/20/09 meeting.

Presentation- Town's Fiscal Advisor

A month ago Administrator Kennedy explained we had an upgrade in our rating. The Town's Fiscal Advisors, Lisa Dickinson and Lynn Ludwig were present tonight to explain this rating upgrade. Ms. Ludwig offered a brief outline, which included the rating history of the town, the change to a different rating agency and the reasons for the change. The benefits to Medway (eliminate issuance of state qualified debt, improved market access, enhanced rate environment on borrowed funds and potentially eliminate future need for Bond insurance or the potential reduction of insurance premiums) were discussed.

Selectman Crowley asked how we stand with other towns in this area and he was told that we are right in mean with other towns. Rating 1-10, 10 being best, it was explained that 4 years ago Medway was a 4. Both Ms. Dickinson and Ms. Ludwig agreed that over the last few years we have increased our rating to an 8.

Update- Health Department

Bill Fisher, Health Agent was present to discuss H1N1 and to assure residents that we are working diligently to ensure they are safe.

Vaccines are voluntarily, with two doses of H1N1 and the seasonal flu vaccine would be necessary to protect against this virus. The groups affected were discussed.

On September 16, 2009 a strategic meeting will take place with Town officials (i.e. Superintendent, Police Chief etc) to discuss all roles involved. Communication will take place with the Selectmen after this meeting occurs.

Prevention guidelines were discussed.

Administrator Kennedy explained there may be additional expenses due to this program, some may be reimbursed by the state, but no idea what the financial implications are at this time.

Assessor Appointment

Peter Manning was present to be introduced to the Board of Selectmen by Selectman Crowley. Selectman Crowley, as well as the Town Assessor and a member of the Board of Assessors met with Peter and Selectman Crowley would like the Board to consider his appointment. Selectman Dunne reviewed the process involved and was very impressed with his resume.

Selectman Trindade moved that the Board appoint John Peter Manning for a 3-year term to the Board of Assessors; Seconded by Selectman Dunne; No discussion; 4-0. (Selectman Foresto has left the meeting.)

Selectman Foresto left for another meeting

Approval of Grant Expenditure- Mass. Emergency Management

Chief Tingley was present to explain that the grant will go towards helping to pay for improvements in the plan for the Local Emergency Management Committee.

Selectman Dunne moved that the Board accept the grant from Mass Emergency Management for \$1650 for LEPC; Seconded by Selectman Trindade; No Discussion; all ayes 4-0.

Road race permit

This event will take place on October 3, 2009; it has taken place in previous years and has experienced no issues.

Selectman Trindade moved that the Board approve the road race permit for October 3, 2009; Seconded by Selectman Dunne; No discussion; all ayes 4-0.

Authorization of Chair to Execute Change Order for Financial Software Implementation Project Management Services – JFK Systems

Carol Pratt, Town Accountant was present.

Selectman Dunne moved that the Board authorize the Chairman to execute the Change Order for financial software implementation project management services to JFK Systems in the amount of \$5,500.00; Seconded by Selectman Trindade; Discussion: Selectman Crowley confirmed that the allocation is coming from the accounting department budget and confirmed there is \$3,540.00 left over; all ayes 4-0.

Update on all modules

Carol Pratt, Town Accountant was present

An update was asked of by the Selectman at their last meeting. Ms.Pratt gave a brief overview of what has gone live and how she is moving along. Payroll should go live 4/1/10 and all modules should be up and running by FY11. The UB billing has been having issues that she is working on, which should have been completed by July 1, 2009.

Treasurer/Collector Melanie Phillips explained that there have been very few comments on the water/trash bills, but all that have come in have been positive. She acknowledged the huge savings in efficiencies in manpower and postage to do this change.

Approval – Inter-fund borrowing

Melanie Phillips, Treasurer/Collector was present.

The wing mower died and Mr. D’Amico was slated to buy a new one in a few months. In order to fund the purchase now the Selectmen must authorize the borrowing because she is unable to purchase without a purpose of funds. Essentially we need to borrow from “ourselves” and are able to borrow up to 1% of the budget or the amount in stabilization. Medway has never done this before, and we don’t want to make a habit of it, (loosing money on the interest) but this is an emergency situation. At the same time the server at the Middle School needs to be replaced. The total to lend us is \$60,000, \$50,000 for the mower and \$10,000 for server. All that is required is that the money is repaid to the town and certified by the town accountant, it has to be reported to DOR and has nothing to do with deficit financing.

Source of funds for both are borrowed funds, MGL set up this source of funds, and this is the only means. It will probably be repaid by October, which is when the borrowing comes in and money goes into the general fund. She re emphasized that we were scheduled to borrow the money but now need it sooner, so this is the route we are taking.

Selectman Trindade moved that the Board approve the inter-fund borrowing for \$60,000; Seconded by Selectman Crowley; Discussion: Selectman Dunne emphasized that since we have not done this in the past, let’s not make it a habit; all ayes 4-0.

Authorization of Chair to Execute Contract for Hydrant Flushing Services – White Water

Administrator Kennedy explained that we didn’t have a contract before today. We now have it in hand and it will be sent to Town Counsel to review/sign off on. The contract is for less money than what was budgeted for. A cheaper route was taken but we may have

to come back for more money later. \$32,000 was allocated but this contract is not to exceed \$20,000. Mr. D'Amico was present and he explained flushing would be done during the day instead of evening to consider expenses of overtime etc.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with WhiteWater not to exceed \$20,000; Seconded by Selectman Crowley; No discussion; all ayes 4-0.

Authorization of Chair to Execute Contract with Mass. Highway Dept – Shaw Street Road Structure Repair

Dave D'Amico was present to discuss. This is standard Mass Highway practice, they give you money and you must sign a contract to use the money. **Selectman Dunne moved that the Board Authorize the Chairman to accept the \$440,000 contract for Shaw St. restructure; Seconded by Selectman Trindade; No discussion; all ayes 4-0.** Selectman Dunne asked when the job should be finished as there is an end date in the contract.

Approval of Grant Expenditure – Mass Highway Dept- Shaw Street Road Structure Repair

Dave D'Amico was present to discuss if necessary. This is to approve the spending of the grant.

Selectman Trindade moved that the Board approve the grant \$440K for the Shaw Street road structure repair; Seconded by Selectman Dunne; No Discussion; all ayes 4-0.

Kelley Street Parking Lot

An accident took place because of the poor state of the parking lot. The School Committee and Superintendent are afraid this may happen again. Administrator Kennedy and Chairman Espinosa took a tour with the School Committee and it is clearly a situation that needs to be addressed short or long term. Two areas need to be repaired.

Administrator Kennedy believes it is too late in the budget process for the long term to be considered at this time. The Finance team (school finance staff and town finance staff) met today. Superintendent Evans wasn't expecting an immediate solution, but wants on our radar. Administrator Kennedy is concerned with the possibility of a long-term plan with large renovations to be done sometime in the near future.

Funding for this project was discussed. It was explained that there is a net positive of \$81,000 in the remaining High School Project bond account. The school would prefer not to use this money for the repaving of the parking lot, but would rather acquire some technology with the money. There is question whether or not the money can be used for technology or for building use at a school other than the high school.

Jeff Devolder-School Committee Rep believes the short term should be looked at. Short term, patch it, pound it out, so that someone won't get hurt and over the winter figure out the long term.

Administrator Kennedy suggested that Dave D'Amico speak with the school to see what is feasible over the next few weeks and report back to the next meeting.

Selectman Crowley would like FinCom reserve money to be used. This item is 13th on the CPC list, which is an issue. This parking lot needs to be addressed. Mr. D'Amico will work with the school, as this is a community project.

It was determined that a FinCom reserve transfer would be made ready for the October 8, 2009 FinCom meeting.

Summer Street- Selectman Trindade asked when the final pave is going down. Mr. D'Amico explained he's been told 3 weeks, but he thinks it's going to be the spring.

Culvert under Summer Street

Internally taken care of

Middle School reconstruction

Selectman Trindade offered his opinion that in the past it's been the schools job to push forward a project. He explained that ESCO was a town wide group, better work got done and all came together to present to Town Meeting. He would like CIPC, Fincom and the residents to come together to help plan this project, although no official project is planned at this time. Administrator Kennedy explained that MSBA has moving deadlines and the biggest issue is to secure funding for an owner's project manager. A lot is unclear to the superintendent. Mr. Devolder, School Committee Rep explained the MSBA process and all its complexities. They tell you that you are on a list, but nothing definitive.

Selectman Crowley believes a working session, with FinCom is DESPERATELY needed to determine how we are going to focus our energies.

Approval of Automatic Amusement Device License – Papa Gino's

Selectman Dunne moved that the Board approve the renewal automatic amusement device license for Papa Gino's; Seconded by Selectman Trindade; No Discussion; all ayes 4-0.

Approval of Transient Vendor License – T.A.P. Enterprises, Inc.

Selectman Trindade moved that the Board approve the transient vendor license for T.A.P. Enterprises, Inc.; Seconded by Selectman Dunne; No Discussion; all ayes 4-0.

Communications policy

This document will be sent as a word doc, so all can comment and discuss at a later date.

Warrants

#10 dated 9/10/09

Town Bills \$64,110.83

School Bills \$1,252,472.03

Total \$1,316,582.86

Selectmen Trindade moved to approve the warrants as read; Seconded by Selectman Crowley; No discussion; all ayes 4-0.

9/18 meeting Selectman Dunne can't make any meetings during the day and Selectman Crowley is not free 9/18/09 either. Selectman Trindade will survey the Selectmen for another possible date.

John Foresto returned 9:00pm

Reviewed Action Items

ConCom appointments

The reappointment of Brian Snow, Dave Travalini and Ken McKay was discussed. The group discussed changing size of Commission from 7 to 5, and it was noted that ConCom wasn't in favor of this change but couldn't come up with a solution to the fact that they don't always have a full committee and a quorum.

Selectman Dunne didn't agree he believes things should go more smoothly with a conservation agent now on staff and they should be left with 7 members. Chairman Espinosa is concerned with them never getting a quorum in attendance.

Administrator Kennedy explained that apparently Christine Price has given her resignation to the ConCom and they refused it. Administrator Kennedy explained that she must notify the Town Clerk and she may not be aware of that fact.

Chairman Espinosa believes there should be a change in leadership as there are issues with operations and customer service. Selectman Dunne noted that they appoint their own chair and our position is to appoint membership, not the chair, but the chair is up for reappointment.

Selectman Crowley is inclined to get them down to 5 individuals on their own and then reconvene. Selectman Foresto agreed with the change to 5 and noted they were all articulate and it was a pleasure to meet with the Commission.

Selectman Crowley would like to review the rules and regulations and Chairman Espinosa would like to ensure that they are in sink with the bylaws.

Chairman Espinosa would like to go back to the Commission, tell them we are considering changing the membership to 5, have them discuss amongst themselves and we will meet again to discuss. Selectman Trindade will relay this decision to the Conservation Commission.

TA report-The town will receive an energy grant, which will poise us for more, grant opportunities from the commonwealth capital program and will enable the town to create a town wide energy program.

Space plan at Town Hall has begun, some employees are unhappy, some are fine, will continue to work through it.

Dates for a betterment meeting and presentation of the sewer master plan need to be determined. It was decided a workshop would be set up for 6pm on 9/21/09 before the regular scheduled meeting at 7pm.

Flushing post cards went out. Explanatory info is posted on the website and will be updated weekly.

The consultant who did the report on the Highland street well has been contacted to see if he is interested in updating the emergency water master plan and negotiating the emergency water master plan. The police and fire didn't know there was an emergency water master plan in existence.

Will meet with another "author" on making some slight changes to the CCR, so next year the report may take another route.

Received an Email regarding the SWAP meeting 9/29 to look at shared services. This meeting will be held in Medway Town Hall 7-9pm. Administrator Kennedy will outlook invite the Selectmen.

There was a very long and messy water break in the last few days. It was determined that some of the equipment wasn't adequate. Administrator Kennedy authorized the staff to purchase whatever equipment is needed.

Selectmen's Reports

Selectmen Foresto- Selectman Foresto attended the last School Committee meeting. A discussion took place regarding moving ahead with PV's on the roof of the High School. Quotes are coming in and the School is looking at signing a contract with Beth Greenblatt to consult and reviewed the quotes that have already come in. The Board of Selectmen signed the last contract with Ms. Greenblatt. It was explained that an allocation came from FinCom to pay for her fee in 2009. Administrator Kennedy explained that the books are closed, and no money is available in 2010. It was decided that Administrator Kennedy would need to go back to Dave Verdolino to explain this situation.

Selectman Foresto advised the Selectmen of the test scores and the no child left behind situation. There are issues at the Middle School and grades 3 and 4, but only in certain sub groups. The School Committee believes they have addressed these issues with recent program changes.

The lease with Comcast was discussed. There are issues being reviewed by Town Counsel. In order to lease the land, the Town would have to put out an RFP and then go to Town Meeting to have it approved. There is a process, which must be followed. Currently Comcast pays Medway \$100 a month, upon signing a lease they will pay \$500 a month. Administrator Kennedy will work with Selectman Foresto on this matter.

Selectman Crowley questioned if town monies are involved with the Photovoltaic panels. Administrator Kennedy believes there will be a 20 year agreement and proposes a FinCom/School Committee/Board of Selectmen joint meeting to get all of the details on this project. It was explained that the town owns the rooftop. Thus anything going on the roof must get Town Meeting approval. Selectman Crowley would like to authorize the Town Administrator to send a note to the school to ask their intent and ask if there are any costs associated to the town. He would also like to advise Dave Verdolino there are no remaining funds from the ESCO review to pay the same consultant for the review of this agreement.

Selectman Foresto advised the Selectmen of the Ribbon Cutting ceremony at the new Verizon Store this weekend.

Selectman Trindade-nothing to report

Chairman Espinosa- Chairman Espinosa advised that the Rte 109 \$300,000 from the state is still in play. The Governor's office has asked if a PR event could take place in Medway when the money comes through. The \$400,000 Federal money is also still in play for 2010 for design work.

Selectman Dunne-nothing to report

Selectman Crowley- Selectman Crowley asked for an update to the meter replacement project. Administrator Kennedy explained this would need to be discussed in Executive Session, as there could be a potential litigation matter involved.

Mr. Crowley has asked that the Town Accountant prepare a financial report of the High School Project account.

A discussion took place regarding the high school concession stand. In June of 2007 there was a FinCom transfer of \$39,000 for the completion of the Coakley Building Concession Stand. At the time of the transfer Mr. Crowley believes it was set up so that the any income producing advertising, that were arranged for the High School field, the first \$39,000 would be put back into the general fund in order to repay the \$39,000 transfer. He would like this situation investigated and reported on at the next meeting, as he believes this money could be taken out of the High School Project account's remaining balance and placed in the general fund.

At 9:53pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position) with no intent to return to public session. Selectman Crowley seconded; no discussion; Roll Call Vote Trindade-aye; Espinosa-aye; Crowley-aye; Dunne-nay; Foresto-aye.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 9/21/09

MINUTES OF THE SELECTMEN'S MEETING FINAL
September 21, 2009 6:00pm
Sanford Hall, Town Hall 155 Village Street, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dunne, Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 6:10PM

The logistics and financials on the sewer extension project were reviewed. Administrator Kennedy reviewed the \$519,000 in expenditures that were not anticipated.

Dave Aimola reviewed the project status as of September 2009. The schedule is slightly behind but he anticipates substantial completion approximately December 1, 2009. It has been anticipated that Cybex will be hooked up in the next two weeks and Alder will be completed by then as well. Selectman Foresto was concerned for the condition of the Alder Street corner for the bus stop. He also mentioned the temporary burms/curbing on the sides of West Street.

Substantial completion date was defined. Selectman Crowley requested that CRPCD should be made aware of the substantial completion date, as a courtesy. At the time of substantial completion SB will be required to have met some key drivers, if the key drivers are met they will be looking for some of their retain age to be returned. MGL determines the % that needs to be released.

Selectman Trindade requested that Trish Brennan, Conservation Agent be made aware of the progress thus far.

Mr. Aimola reviewed the financial analysis of the project. Paul Sirois reviewed the "Other Items" in the Item Overruns section. \$337,881.00 is a real number and a moving target. Some of the items are inflated because of the unknowns. He is hoping that the rock number is going reduce but the projection is based on what we know now.

The contractor has \$159K in his contract to pave, which is actually to mill out the first inch and then pave. SB is expected to return the roads to the way they were before the project started. It's possible the town may do other work in this area and hold the paving off from SB and do it themselves at a later date.

A potential loss of productivity number was discussed. The contractor must justify a true loss and negotiate with Tata & Howard. Administrator Kennedy offered that Town Counsel should be working with Tata & Howard on this negotiation.

Paul Sirois reviewed Revised ETC on the Project Spending Analysis dated 9/21/09.

Another source of funding needs to be determined by December.

Public Comment: 60 Winthrop St. Mr. And Mrs. Mike Ruggieri Beaver issue. Chicken Brook has been flooded and a beaver damn has caused substantial flooding. This is not a Conservation Commission issue but a Board of Health and Department of Public Works issue as their sump pump runs continuously. The beaver damn is town owned property at 50 Winthrop Street. Alternatives were discussed including tearing down of the damn and beaver mitigation. It was stated that it is legal to take action and MA DEP will not have issues.

The cost to fix is approx. \$1500 for services provided by Beaver Solutions. The DPW director has been given the task of dealing with this issue. Administrator Kennedy explained that some plans are in motion but the DPW director on vacation. The conservation agent has been very helpful and has been able to identify the issues and solutions. A FinCom transfer reserve may be necessary to pay the expenses. The Town will update the Ruggieri's in a timely manner.

Chan Rogers, Resident, Planning Board member as well as Water/Sewer Commissioner was present to discuss his dismay with the reorganization of Town Hall. He believes the Town has had no coordination or interface with any Town boards. Selectman Dunne explained that it is not this board's responsibility to oversee the reorganization but it's the Town Administrator's responsibility. Mr. Rogers would like to have elected officials and other town boards notified of the reorganization. He believes there are ill feelings among employees and that it was not done well. He came before the Selectmen to voice his complaint that the Board of Selectmen was not involved and they should have been.

Administrator Kennedy explained that she communicated with the staff and each commission was notified that their meeting spaces would be change. Whatever change is made would not be well received. The offices most frequently visited by the public should be housed on the first floor. This project has been underway for almost a year and she has done the best she could.

Chairman Espinosa explained that the Selectmen do not get involved in the day-to-day operations of town hall. Mr. Rogers believes that all the other boards should have been involved in the planning of this reorganization.

School Committee-Shelley Wieler explained that the School Committee is proceeding with the Middle School improvement plan with MSBA, and would like to have a joint meeting with the Selectmen on the school facilities. The School Committee believes that a facility feasibility study should be performed, as the last one is 10 years old. All school and town facilities should be included in the study. A consultant would be required. The School Committee believes that the Selectmen and the CIPC should be included in the discussion.

Trane update-Work is ahead of schedule. Mrs. Wieler explained that a very positive relationship has been formed with the project manager and a smooth process has taken place. The School Committee is looking to have a power energy project for solar on the HS and MS roofs, which will continue us on the Green path and at no cost to the town/school. Approximately 12 businesses have put in bids for this project. The school needs to act quickly so as to not lose the rebates. Selectman Foresto explained that community involvement/committee (similar to the ESCO committee) in this project has been discussed by the School Committee. Dr. Evans does not want the community involved in this project. The School Committee, because it is not in their budget, will not fund a feasibility facility study, but the School Committee is looking for the Selectmen to pay for the study. It has been determined that the cost for a consultant for this project will not be cheap.

A Trane tour, to show the status/completed projects will be arranged for town officials. Mrs. Wieler offered that she sees that facility projects should be a town wide going forward even though the superintendent is not in agreement.

The Selectmen believe the town should be involved and volunteers sought.

Selectman Crowley asked if the School Committee anticipates presenting a formal presentation to the Selectman on the solar bid award. He believes the contract should be reviewed and presented to the Selectmen before the bid is awarded. Selectman Foresto believes there is a question if it is appropriate for the school to enter into an agreement for 20 years on the schools rooftops. Administrator Kennedy believes the Selectmen should review the financing piece of this project.

Introduction Thomas Holder, Department of Public Services Director---

Administrator Kennedy explained that Mr. Holder has a great deal of experience in water/sewer. Mr. Holder offered his background and experience throughout his career.

Authorization of Chairman to Execute Contract with WL French for Shaw Street Reconstruction.

Mr. D'Amico is on vacation so he was not present to discuss. Administrator Kennedy explained he is still working out the terms and conditions of the contract. This contract will be executed pending Town Counsel's approval.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with WL French, pending Town Counsel's approval and not to exceed \$303,000; Second by Selectman Foresto; Discussion: Selectman Crowley asked for the construction details. It was decided that the construction details would be put on the Town's website so that residents could see the details and timeline. Mr. D'Amico will be asked to update the Board at the next meeting if appropriate; All ayes 5-0.

Approval to Bond – Treasurer/Collector Melanie Phillips was present.

Ms. Phillips explained she is going to bond all the bonds from the last few years. The Town was unable to do this last year and this year there is a good environment and will

possibly get under 4%. All previous bands from 10/08 and all the projects that were approved at the June town meeting and the amount the water meter bid amount (even though this project hasn't started yet) will be included. The total new bond will be \$7,328,610.00. She explained she needs the Board's approval to seek approval from DOR. This transaction will put the Town right at its bond limit/10% and the Town will remain at its limit until 2012 when we have pay downs. She explained there is a lot of debt retiring over the next 10 years.

Selectman Foresto moved that the Board authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to bond \$7,328,610.00, which includes \$1,381,300.00 in new money; Second by Selectman Trindade; No discussion; all ayes 5-0.

Appointments- Affordable Housing Trust Fund Committee

Selectmen Crowley moved that the Board appoint Ralph Caton (1 year), Michael Heineman (2 yrs), Teresa O'Brien (1 yr), Ann Sherry (2 yrs) and Glenn Trindade (2 yrs); Second by Selectman Dunne; No discussion; all ayes 5-0.

H1N1 update Bill Fisher

There is currently a low level pandemic. Dr. Wendy Collins has been appointed Medical Director for the town and school, with the town and schools working together on this project recruiting nurses and continually holding meetings to prepare. The VNA will order the vaccines and storage will take place at the police station. Two clinics will take place in the schools, one for in the Middle School and one in High School. Children are top priority for infectious viruses. A review of the finances/expenses took place, with a bottom line number of \$8000 naming the source of funding coming from the state. Selectman Dunne asked Mr. Fisher to provide him with his refrigeration requirements, as his business may be able to donate a cold chamber.

A selectman asked if volunteer's backgrounds would be checked. Administrator Kennedy would like a formal vote by the School Committee to authorize the use of the school facilities.

Selectman Trindade moved that the Board reach out to the School Committee for an authorization to use their facilities; Second by Selectman Dunne; Discussion: Administrator Kennedy will be the point of contact, clinics will be advertised town wide; all ayes 5-0.

Increase senior tax work off- Missy Dziczek

After confirming numbers of seniors, Mrs. Dziczek has found there is no need to increase the number of seniors as she has 75 at this time. But she would like to ask for an increase in the hourly rate of pay that is actually a credit off their tax bill. The current maximum tax credit is \$750. This has just been approved to \$1000 by the state.

Selectman Trindade moved that the Board increase the hourly rate for senior tax work off to \$8.00 per hour; Second by Selectman Dunne; Discussion: It has been stated that the Board of Assessors has supported the increase. Mrs. Dziczek will email a letter of support to Administrator Kennedy for the Town's records; all ayes 5-0.

Approval Section 106 Inspection Fee Increase – Building Dept.

John Emidy, Building Commissioner and Paul Trufant, Fire Chief were present. It is mandatory for annual 106 inspections to be performed on restaurants, schools etc. Mr. Emidy gave a brief description of what is inspected. The fire chief must inspect establishments that sell alcohol. It was suggested that the fee be raised to \$75 for the basic building with up to three uses.

Selectman Trindade moved that the Board approve the increase in the fee schedule that was presented by the Building Commissioner; Second by Selectman Dunne; No discussion; all ayes 5-0.

Water System Master Plan Bruce Adams, Weston & Sampson

Mr. Adams presented the draft water system master plan. He has met with Frank Jordan and Dave D'Amico to review. He is looking for 3 grants to help pay for some of these projects.

Selectman Crowley would like to request a public hearing with the water master plan being presented publicly. It was decided that there would be a presentation at the Fall Town Meeting between 7 and 7:30. Fall Town Meeting date will be determined later in the meeting.

Medway 300th-John Foresto

The group that attended the informational meetings would like the BOS to decide how to appoint the committee etc. This is unofficial group has committee behind it at this point. The Selectmen should decide what the committee should look like. There was a call out for volunteers who are interested in becoming board members. An advertisement will be put on the town website, cable channel etc.

Proposed date fall town meeting

Administrator Kennedy offered 11/9 or 11/16 as proposed fall town meeting dates. Administrator Kennedy is more inclined to choose 11/16, as certified free cash may be known at that time. The warrant would open 10/5 close 11/2, and it would be posted on 11-2.

Selectmen Crowley mentioned the article that was sent by the School Committee regarding the \$250K feasibility study for work to municipal buildings. Selectman Crowley would like to see the math on how they reached the \$250K. Administrator Kennedy believes that the selectmen should be involved in the process to choose an owner's project manager.

Selectman Foresto moved that the Board establish a Fall Town Meeting to be held on Monday November 16, 2009; Seconded by Chairman Espinosa; No discussion; all ayes 3-0. Selectman Dunne left the meeting at 9:00pm and Trindade left the meeting a 9:15.

**A brief recess was called at 9:30pm.
Resume meeting 9:35pm.**

Approval of Warrants

Warrant #12 dated 9/24/09

Town bills \$6,848.62

School bills \$313,764.98

Total \$320,613.60

Selectman Foresto moved that the Board approve the warrants as read; Seconded by Chairman Espinosa; No discussion; all ayes 3-0.

Approval of past meeting Minutes

Selectman Crowley moved that the Board approve the Minutes of the September 8, 2009 as amended; Seconded by Selectman Foresto; No discussion; all ayes 3-0.

Chairman Espinosa moved that the Board approve the Minutes of the July 27, 2009 meeting as amended; Seconded by Selectman Foresto; No discussion; all ayes 3-0.

Selectman Crowley moved that the Board approve the Minutes of the August 5, 2009 meeting as written; Seconded by Chairman Espinosa; No discussion; all ayes 3-0.

Selectman Crowley moved that the Board approve the minutes of the August 14, 2009 meeting as written; Seconded by Selectman Foresto; No discussion; all ayes 3-0.

Chairman Espinosa moved that the Board approved the minutes of the August 20, 2009 meeting as written; Seconded by Selectman Foresto; No discussion; all ayes 3-0.

Action Items- Hold discussion to the October 5, 2009 meeting.

Town Administrator's Report-

Flushing commenced two weeks ago and so far there are no issues. There have been some inquiries by residents and the Town is hoping to complete the project within 5 weeks.

A joint meeting with the School Committee regarding the financial scheme of the power purchase agreement and the MSBA plan will be arranged. Administrator Kennedy handed out a document that stated information on choosing an Owners Project Manager. Selectman Crowley believes that the School Committee has a draft for an OPM ready to go out and that the School Building Committee should be a part of that process. Mrs. Harrington will set up a joint meeting and will invite the Building Committee, FinCom and CIPC to attend.

Selectmen's Reports

Selectman Foresto-CIPC asked the School Committee for their recommendations by the end of September. Selectman Foresto explained the School Committee's pushback due to the beginning of the school year. Chairman Espinosa reiterated that the CIPC plan is annual and the school should understand.

Medway is #37 out of 300+ school districts in the state with MCAS improvements across the board.

Peer counseling has supported the Lion's can drive and the Lion's are very impressed with the student involvement.

There will be a Community dinner in the Café on 11/5/09 of Mexican food, reservations are requested.

Selectmen Foresto has met with the Police on reverse 911. Three bids have been received and reviewed. The shortfalls that some other towns have had were reviewed. Rich Boucher should be making the recommendation and will get engaged, he has been brought up to speed. The police dept. has done their homework.

Selectman Crowley-Selectman Crowley discussed the reorganization of the school's business office. He would like to know if the negotiation of pay would be discussed in open or executive session. Mrs. Wieler responded that she believes this is a personnel issue and Dr. Evans is negotiating privately with the School Committee making the final approval.

Selectman Crowley asked Administrator Kennedy for a spreadsheet showing the breakdown of the \$81,000 account. Administrator Kennedy will take care of providing this information.

Selectman Crowley asked that the Water increase between '08 and '09 be watched closely.

Selectman Crowley asked if the issue with the Kelley Street parking lot has been addressed and he was advised that Dave D'Amico and Dave Verdolino got together and a temporary fix will take place on 9/28/09 with the school covering the cost of the repairs.

The Conservation Commission public hearing on 10/1 was discussed. Selectman Crowley would like to ask the ConCom to move the meeting to 10/14/09 or later in the month of October. Selectman Crowley's reasons for the change in date are as follows: 1. He has asked for a comparison of Millis, Holliston, Hopkinton, and Medfield's rules and regulation and this information is just going out to the consultant today. He believes this information can't be reviewed and given back to all involved by the 10/1 public hearing. 2. Selectmen Foresto and Crowley will not be available until after 10/14. As the appointing the members of ConCom, the full board should be present at that public hearing 3. It was asked that the boilerplate of the rules and regulations be sent for

review, as well as the redlined version. Selectman Crowley has not seen this document to date. It was suggested by Chairman Espinosa that a letter be put together with the reasons stated about and sent to ConCom.

Selectman Foresto moved that a letter be prepared and authorized the Chairman to sign requesting the meeting be changed from 10/1/09 to after 10/12 and strongly recommend because the comparison of other rules and regulations has not been completed to date, a boiler plate/red lined version has not been received by the Board of Selectmen and some Selectmen are unable to attend on 10/1/09; Seconded by Selectman Crowley; No discussion; all ayes 3-0.

Chairman Espinosa- nothing to report at this time.

Next meeting is October 5, 2009

At 10:10pm Selectman Foresto moved that the Board adjourn for the evening; Seconded by Selectman Crowley; No discussion; all ayes 3-0.

Respectfully submitted,

Wendy Harrington

Executive Assistant

*Amended after 10/19/09 BOS Meeting

*Held for approval

*Approved 11/2/09

MINUTES OF THE SELECTMEN'S MEETING FINAL
October 6, 2009 7:00pm
Medway Senior Center, 76 Oakland Street, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Richard Dunne, Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Glenn Trindade

The meeting was called to order at 7:03pm

H1N1 Review Administrator Kennedy reviewed the proposed schedule of clinics and other information presented by Bill Fisher, Health Agent. The Town Staff will conduct a tabletop exercise October 7, 2009.

Eagle Scout Project at 2B Oak Street.

The information sent by the Design Review Committee was reviewed. Chairman Espinosa asked if it is known who will review the signs wording before it is completed. This was unknown from the information presented. It was suggested that the DRC's role should be reviewed and their recommendations reviewed. Eagle Scout Trevor Baker will be invited to attend the next Selectmen's meeting by Mrs. Harrington. Trevor will be asked to present his project to the Board of Selectmen.

School Committee Liaison report-Mrs. Trindade

The date and topics to be discussed at the combined meeting between the School Committee and the Board of Selectmen was reviewed. Selectman Crowley asked that information pertaining to the solar panels be sent ahead of time. He would like to see the RFP, the proposals that came in and the price structures. Selectman Foresto explained this is a 20 yr commitment and Selectmen would like to review to ensure the process is correct. Selectman Crowley added that it be economically feasible as well. Selectman Dunne suggested that only a summary of the RFP process, selection, reasoning and cost analysis be needed. Administrator Kennedy suggested the Selectmen need to look at any lease agreement. She will contact Dr. Evans for these documents.

Mrs. Trindade gave a brief update on the Trane project.

The MSBA project and town wide facilities review was briefly discussed. Selectman Crowley asked for a breakdown of the \$250K for the MSBA project.

Chairman Espinosa asked going forward any/all items for the agenda should go through him and not Administrator Kennedy.

The 5-year outlook discussion, which was to be presented by Ms. Pratt, Town Accountant, was held for another meeting.

Betterment presentation Chris Woodcock

Betterment workshop/Question and Answers

Mr. Woodcock reviewed his presentation documents with the board. He explained that within 6 months of the completion of sewer extension project, the various departments in town need to start the betterment process.

Article 17, of the May 2003, Annual Town Meeting authorized the debt exclusion and the 50% betterment not to exceed \$12,000. This means that the maximum betterment is \$12K and the betterments will pay for 50% of the project. There are different methods of assessing betterments. (frontage, area of property, equivalent dwelling unit) The article was reviewed and the above was explained in detail. There are 110 residential properties and about 12 businesses.

Chairman Espinosa offered his thought that the bottom line is all the monies for the project were factored in, including an amount of \$800K for betterments. He understands there is a deficit but he doesn't believe it has anything to do with the betterments.

It was explained that the most you could charge any property is \$12K. If you use the state formulas, the biggest landowner gets charged \$12k; the other landowners would be a lot less. This is based on the state formulas. Basically the formula was not considered. All lots/betterments need to be formulated the same way. Because of the formulas using acreage the most you can collect is \$400K, original figures were based on \$800K, which was wrong. The intent of the article was ½ of the cost on the homeowners.

It was asked how do we as a town go forward so this makes sense to all of the other residents in town.

The last page of Mr. Woodcock's presentation was reviewed and suggested going to Town Meeting with a new article, eliminating the \$12K maximum and use the other items in the state formula. It was discussed what the fall town meeting article might say.

The town needs to raise approximately \$750K to pay for the project, preferably funding at the Fall Town Meeting. Administrator Kennedy will consult with Town Counsel. Mr. Woodcock mentioned that Town Counsel told him there were other items not in the article.

Selectmen Dunne offered that residents need to know why the project is over by \$750K, and we will have to decide which is the best formula to use.

Mr. Woodcock said that it might be interesting to change the wording so that the residential betterment is no more than \$12,000. Maybe that was the original intent. This would be a good sell to the homeowner. Town Counsel believes it is TM's vote to decide on the formula. Mr. Woodcock believes the Selectmen could recommend something to Town Counsel. Mr. Woodcock believes frontage should be used and has most likely

been used in previous projects. Frontage is most fair. The entire shortfall should be covered.

It was clarified that betterments should be set within 6 months of completion of the project. Completion is defined as when the contractor completes all of his services, full acceptance, final paving, same as final completion. Betterments are based on the total cost.

Ms. Phillips, Treasurer/Collector explained you could borrow for the additional money if Town Meeting approves. Mr. Woodcock explained that it is possible to do a preliminary and then a final betterment.

Selectman Dunne wondered about the warrant article and why it wasn't done correctly. Selectman Crowley explained that the authors were trying to push it through to get a state grant.

Mr. Woodcock explained he is concerned about the frontage and the \$12K maximum as there are a few lots that have more frontage and without that cap would exceed the \$12K.

Selectmen Foresto, Espinosa and Dunne believe that \$12K is a good number and if a residential lot is over \$12K they can get an abatement to \$12K. Keeping it at \$12K is keeping with the spirit of the original article.

Chairman Espinosa suggested an executive session to determine the specifics. Selectman Crowley suggested Mr. Woodcock come back with the specifics after re working the formula.

Marian Community Center Liquor License Request

The documents were reviewed.

Selectman Dunne moved that the Board approve the Marian Community Center liquor license pending the property authorizations that are still pending; Selectman Crowley seconded; No Discussion; All ayes 4-0.

Comcast

Selectman Foresto explained the residents would be getting a refund, the Town will be getting a settlement, and the Town will be getting new fiber optic network for town use. The idea behind the settlement was that everyone would get something out of it.

Selectman Dunne moved that the Board approve the settlement agreement as of October 6, 2009 between the Board of Selectmen of the Town of Medway and Comcast of Massachusetts/New Hampshire, LLC; Selectman Crowley seconded; No Discussion; All ayes 4-0.

Selectman Dunne moved that the Board approved the Joint Motion for Approval of the Settlement Agreement between the Board of Selectmen of the Town of Medway and Comcast of Massachusetts/New Hampshire, LLC; Selectman Foresto seconded; No discussion; All ayes 4-0.

Selectman Foresto offered that the cable service at town hall has been poor. Medway cable is constantly complaining to Comcast about the service. Selectman Foresto spent some time with Joe McLaughlin, there has been an internal issue with camera 4. The issues are the responsibility of the Cable Access Studio. This situation is ongoing and will continue to be monitored.

Open The Fall Town Warrant

Selectman Dunne moved that the Board approve to open the Fall Town Meeting Warrant; Selectman Crowley seconded; No discussion; All ayes 4-0.

Warrants

Warrant #14 dated 10/8/09

Town Bills \$653,534.93

School Bills \$105,032.46

Total \$758,567.39

Selectman Dunne moved that the Board approve the warrants as read; Selectman Foresto second; No discussion; All ayes 4-0.

At 8:58pm Selectman Crowley moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel) with no intent to return to public session. Selectman Dunne seconded; no discussion; Roll Call Vote Foresto-aye; Espinosa-aye; Crowley-aye; Dunne-aye.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 10/19/09

MINUTES OF THE BOARD OF SELECTMEN'S MEETING JOINT MEETING WITH
THE SCHOOL COMMITTEE-FINAL

October 13, 2009 7:00PM

School Committee Room, Medway Middle School, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Richard Dunne, Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington.

School Committee members Jeff Devolder, Shelley Wieler, Debora Trindade, Diane Borgatti, Carol Bernstein, Superintendent Dr. Judy Evans, Beth Greenblatt, Consultant for Beacon Intergrated Solutions and Dave Verdolino, Director of Operations.

CIPC members Jim Palladino, Jim Gillingham, Tom Anderson, and Richard Briggs. FinCom members Larry Ellsworth, Eric Arbeene, Paul Marble and Martin Dietrich.

School Committee Chair, Diane Borgatti at 7:06pm, called the meeting to order.

Mr. Verdolino updated the group on the status of the Solar Panels and the Power Purchase Agreement (PPA), which will allow the town, at no cost, to purchase solar power. The Middle school roof has been evaluated. It was decided that keeping the High School and Middle School solar projects separate was the best choice. The RFP went out to 33 firms. The proposals for both projects are being reviewed by Ms. Greenblatt, Mr. Verdolino and Bob Hebden (who was a part of the solar project with Ashland schools). Ms. Greenblatt explained there are three bidders that the group felt sent in the best all around proposals. The price, termination value, cost at the end of the contract, extension of the contract and what if any costs at the end of the contract if wanted removal from the roof were considered. The proposals were ranked, meetings have been set up and a spreadsheet with summary of proposals and a summary of solar project price proposals was handed out for the group to review.

The Commonwealth of MA offers many incentives. Trane submitted an application for Medway High School and the rebate is reserved for a specific time period. Ms. Greenblatt explained that last week the State decreased the rebate amounts available. Last Friday, the incentive program was shut down due to over subscribing. The American Recovery Act may be a possible source of funding for the Middle School solar project.

Ms. Greenblatt explained the rank order for the vendors and identified the vendor the group thinks they should begin negotiations with for a long-term agreement with, as this makes good economic sense. There is a significant dollar savings from what the town is currently paying its current supplier.

It was offered that the best choice at this point is Broadway. (Ameresco and Nexamp were also in the top 3). Ms. Greenblatt would like to engage in negotiations with

Broadway for the HS project only and to secure the \$532K rebate from Mass Tech collaborative.

It was explained that the panels' useful life is 20-25 years and the panels must generate current before the February deadline. There are no expected issues with the engineering of the roof at the high school as the high school is new construction. Ms. Greenblatt believes that once construction has begun if there are issues structurally, you can apply for an extension.

It is necessary to go back to each of the vendors to ask to give another proposals for the Middle School since the rebate program has changed.

Mr. Dietrich, FinCom, asked why they chose Broadway if they are ranked fourth. Mr. Verdolino explained that Broadway was chosen for their technical presentation. Technical evaluation is done without regard to the price. The law allows you to weight the price and non-price in whatever manner you wish. Ms. Greenblatt explained that a lot of "fluff/glamour" is put into the proposals and some have more substance. Many were very similar.

Selectmen Dunne arrived at 7:35pm.

Selectman Crowley asked if the rebate of \$532K was going to be transferred over to the contractor. It was explained that all businesses knew they would be getting the rebate for the HS work, and the MS numbers are totally out the window because of the changes in the rebate program last week.

Addendums 2 and 3 were reviewed. It was reiterated that the project must be completed by February 2010 and will begin November 1, 2009. The deadline was discussed. An extension will be applied for if necessary. Broadway says they will meet the deadline and they will put in liquidated damages verbiage in their contract so if they don't adhere to the schedule they will be covered.

Administrator Kennedy asked who would be paying for the structural engineering to examine the Middle School roof. Ms. Greenblatt explained that a permit will be pulled and a licensed structural engineer will be provided. The school is the host facility and the vendor is putting the panels on the roof and selling the school the output. The town must approve this. Early termination questions have been asked and removal costs as well. The HS will have no issues because it is so new. While the real estate on the MS roof can accommodate more panels, the structural integrity cannot.

Ms. Greenblatt discussed the contract that is proposed.

All the power generated will be sold to the school at X rate. Cost savings in year one, is 6 cents per KW/hr is a savings of \$10,000 a year.

Ms. Greenblatt explained net metering. July and August we could be spinning the meter backwards, if this happens NSTAR has to repay the town for certain specific parts.

Chairman Espinosa asked for the next steps. Mr. Verdolino explained that assuming there is no objection the negotiation process with Broadway would begin. Mr. Verdolino asked who would be executing the contract, the School Committee or the Town of Medway. Selectman Foresto asked if this should go to Town Meeting, as it is a 20-year lease.

Ms. Greenblatt explained that there is an exception under 30B. Chairman Espinosa asked what is the preference as to who authorizes, as the timing is critical. Administrator Kennedy will review with Town Counsel and Chairman Borgatti offered that she doesn't think school counsel needs to review. Mr. Verdolino would like to begin negotiations tomorrow and execute so they can begin 11/1. Chairman Borgatti explained that the model contract could go to Town Counsel right away. Selectman Crowley asked that Town Counsel act timely. Chairman Espinosa explained that the Board of Selectmen will be meeting 10/19 and he would like to get a vote on that date to have Town Counsel review the contract.

It was stated that under 25A a 10-day notice must be posted upon final notice on an award contract. The question was raised as to who is posting the 10-day notice; this must be posted with the DOER. Melanie Phillips, Treasurer/Collector suggested doing the postings jointly to cover all bases.

In closing the posting will be joint BOS/SC, award date was discussed, Town Counsel will review model contract to see if needs Town Meeting approval. BOS will get an update on 10/19 and will vote the same day.

MSBA PROJECT

The Middle School project has gone through different levels of scrutiny thus far. The MSBA is looking for the Town's support. The School Building Committee list needs to be updated. It was suggested that Shelley Wieler be added as a School Committee rep with Debora Trindade. Larry Ellsworth will replace Frank Faist as the FinCom Chairman. Selectmen Trindade thinks someone should represent CIPC and another FinCom representative should be added. The others on the list for the committee include: Suzanne Kennedy, Dr. Evans, Dave Verdolino, Dennis Crowley, Joanne Labarre, Tina Wright and Bob Tucker.

School Committee Chairman Borgatti believes the Selectmen should convene a meeting of the School Building Committee. The Committee should appoint a Chair and then update the Selectmen before Town Meeting. The Selectmen will arrange a date for the meeting and notify all that should be in attendance. Dr. Evans believes that the School Building Committee should decide on the Owner's Project Manager.

MSBA has extended the Middle School Repair project because of the Trane project. The reimbursement minimum is 50% of the amount approved for the project including feasibility, schematics, and the owners project mgr.

The request for an Owner's Project Manager, RFS is almost ready to go out. Usually the OPM is a firm, not an individual. The school expects to receive a number of packages. The project is not a renovation, it's a repair project to bring windows, floors, electrical up to date, but sprinklers and handicap accessibility are not included. A menu of options was discussed, as the entire project could be expensive depending on what is done.

A feasibility study needs to be performed and coming to an agreement with MSBA on what the project will entail would be the next steps after hiring an Owner's Project Manager.

Town Meeting will be the final deciding factor.

The Town Meeting article was discussed. The article seeks permission to allocate a form of free cash to pay for the Owner's Project Manager, the schematics and the feasibility study. It was suggested to have the article ask for the entire sum and then get 50% reimbursed. Mr. Verdolino explained that reimbursement is timely and MSBA makes direct payments. The cost for the Owner's Project Manager is a percentage of the entire project cost, an estimate of \$250K(which is based on 3 different sources). It was mentioned that it might be difficult to ask for the money without the feasibility study being finished first. MSBA is comfortable with that amount and the OPM we met with was comfortable with this amount too.

Selectmen Crowley would like to see the School Building Committee make all the recommendations to Town Meeting.

Dr. Evans explained after the discussion on the article that any further changes would have to go back to MSBA for approval. She emphasized that the committee needs to organize and meet ASAP. Representatives from CIPC asked that they be kept informed and it was determined that meetings should be posted and minutes taken to conform with open meeting guidelines.

All present were reminded that if we don't move forward in a timely manner the MSBA will not give us the money. There are 135 other projects in the works.

FEASIBILITY STUDY

Aside from the projects presented there are many other town projects that need to be addressed.

Many towns do a joint town/school study. The needs of all groups that may need space could be reviewed with this study. The future status of who's going to take care of town/school facilities could be considered. The total cost of a municipal, town and

school study would be fairly expensive and it may be cost effective to hire a firm to do the study.

This is separate from the Middle School Repair (MSBA project) project. The estimated cost quoted for a joint master facilities study is \$300-\$400K. Although this study would not include the Middle School Repair Project it will study the use and enrollment of the Middle School. The high school could be eliminated from the study, as it is a fairly new structure.

Selectman Dunne and Chairman Espinosa asked CIPC to spearhead this type of a project. The town would provide administrative support. Dr. Evans believes all departments will benefit as doing facility planning gives us a direction to proceed towards. Selectman Crowley believes it will be hard to ask for that kind of money for such a program and wonders if the timing is right. Selectmen Trindade thinks now is a buyers market, which could benefit the town.

Chairman Espinosa suggested CIPC should sit down with Administrator Kennedy and Dr. Evans and discuss the steps for the RFP process. Dr. Evans will get the previous study (facilities master plan) from 10 years ago, which resulted in the High School being built and will forward it to CIPC to review.

Proposed budget calendar was reviewed

Administrator Kennedy reviewed the Budget Calendar and Town Meeting Warrant Calendar.

Selectman Trindade explained that the whole calendar is predicated on the May 10th date for the Annual Town Meeting. Mr. Devolder suggested we should push the date out to June given the financial picture of the state. Administrator Kennedy explained that the charter dictates the ATM date and if the Selectmen see fit, it may be appropriate to change the date.

Discussion Concerning 2010 Chapter 70 Shortfall

There is a potential \$145K net shortfall. Dr. Evans had a stimulus increase, resulting in a lower allocation to the schools from the overall town budget. The plan was that the school hoped to reserve about half of the stimulus money. The circuit breaker reimbursement was reduced by about half, which will need to be made up from another ARRA grant. A lot more accountability is involved. The school anticipates using additional ARRA grant money and not asking the town for more. The school will try to make up shortfalls from existing sources and will do their best with the ARRA stimulus money. Dr. Evans believes that things look like they are on track but one or two more out town placements could put the budget off track quickly. She explained that the new Special Education Director is helping to reroute. Dr. Evans anticipates the reserve to be 0, but that depends on the special education spending. Already reallocated IDEA money to replace the circuit breaker.

The school department budget remains at what was presented.

Selectmen Crowley offered that is why the Selectmen put the money aside for the operational budget last year.

Selectmen Chairman Espinosa thanked all those in attendance for coming and offering great insight into the topics discussed.

At 9:00PM Mr. Devolder moved that the meeting adjourn for the evening; Selectman Foresto second; No Discussion; All ayes.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 11/2/09

MINUTES OF THE SELECTMEN'S MEETING FINAL
October 15, 2009 8:15pm
Conservation Commission Meeting
Medway Senior Center, 76 Oakland Street, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, and Glenn Trindade

Absent: Richard Dunne and John Foresto

The meeting was called to order by the Conservation Commission. The Selectmen in attendance arrived at approximately 8:40pm. Town Counsel Barbara Saint Andre and Dave Pelegri, Tetra Tech, were present.

The Selectmen participated in a discussion on the proposed Rules and Regulation for the Conservation Commission. The buffer zones, resource areas and other various sections of the proposed Rules and Regulations were reviewed and discussed.

Selectman Trindade left the meeting at approximately 9pm, which left no quorum.

Respectfully submitted,
Wendy Harrington
Board Secretary

*Approved 11/2/09

MINUTES OF THE SELECTMEN'S MEETING FINAL
October 19, 2009 7:00pm
Sanford Hall, Medway Town Hall 76 Oakland Street, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Richard Dunne, Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 7:05pm

Public Hearing: All Alcohol Restaurant License Request – Veterans Building Association d/b/a VFW Medway Post 1526 Paul Kenney, Esq. was present. The basic reason for this hearing is to correct the records of the ABCC which have been incorrect since 1986. The holder, VFW Post 1526, Inc. never existed. The Town Administrator's office was notified that this was incorrect. The actual applicant is stated above. ABCC has been asked to correct their records in the past and they have not. This is an attempt to correct. Attorney Kenney explained they have always held a veteran's club license and are now changing to an all-alcoholic restaurant license, which is appropriate for a non-profit to hold. The ABCC is clear on this. This establishment has always been open to the public.

Selectman Trindade moved that the Board approve the change in license as provided; Selectman Foresto second; No discussion; All ayes 5-0.

Public comment:

None

Approval of Eagle Scout Project at 2B Oak Street

Trevor Baker came before the Board to discuss his Eagle Scout project. Trevor has been involved in scouting for 11 years and is currently working on his Eagle Scout project, which is a sign to be placed at 2B Oak Street. Trevor did his research and consulted with the Historic Commission. He raised money-selling popcorn and received a \$200 off discount from Home Depot for materials. He has obtained a permit and will be calling Dig Safe before he digs the holes for the sign. Trevor has spent about a year working on this project. Trevor showed a drawing of the sign to the Selectmen and explained that Historical Commission information; information on the property, upcoming events, Thayer family history and a map of the property will be posted on the sign.

Selectman Trindade would like to see the process for this type of project streamlined so that residents could accomplish their goals faster.

Chairman Espinosa thanked Trevor for his time this evening and was commended on a job well done.

Selectman Trindade moved that the Board authorize the application to Trevor Baker; Selectman Crowley second; No discussion; All ayes 5-0.

Special state primary Maryjane White, Town Clerk

There will be primaries on 12/8/09 and 1/19/10. Ms. White came before the Board for approval of the warrant for the primary. She explained she does not have enough money in her election account to cover these expenses but it is possible that the State will vote to reimburse the cities/towns for funds expended. It's possible she may have to go FinCom for an ETR for \$8000.

Selectman Dunne moved that the Board approved the special state primary as required by the Town Clerk; Selectman Trindade second; No discussion; All ayes 5-0.

At 7:25pm Chairman Trindade moved that the Board adjourn to Executive Session for exemption reason number 6 "To consider the purchase exchange, lease or value of real property if discussion in open session may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation" and for exemption reason number 3 "To discuss strategy with respect to collective bargaining or litigation" with the intent to return to open session; Selectman Dune seconded; Roll call vote: Selectman Foresto-aye, Selectman Dunne-aye; Selectman Espinosa; aye; Chairman Trindade-aye; Selectman Crowley-aye.

Selectman Dunne moved that the Board adjourn Executive Session at 7:46pm and return to open session; Selectman Foresto seconded; Roll call vote: Selectman Foresto-aye; Selectman Dunne-aye; Selectman Espinosa-aye; Chairman Trindade-aye; Selectman Crowley-aye.

7:49 Resume

All were present

Betterment Discussion

Town Counsel, Barbara Saint Andre was present to discuss betterments. There will be a warrant article for Fall Town Meeting to amend Article 17 of the May 2003 Town Meeting Warrant. Chairman Espinosa read the article.

A discussion took place regarding fixed uniform rate, use frontage, area or combination or fixed unit (assign one unit per each residential). One residential unit is no more than \$12K. Fixed uniform is the best per the consultant.

Town Counsel explained that the betterment statute is to treat all property owners equally and she is still doing research on this issue.

Administrator Kennedy explained in a brief review of the data collected by the assessor's office, very few people (15 out of 120) that would exceed \$12K. Everyone has the option of applying for an abatement through the Board of Assessors.

In 2003 the project had a \$3.2 million budget, now it's \$5.6 or \$5.7 million. When the project was put through they hadn't done any preliminary engineering, borings and didn't have legal counsel consult. Selectman Trindade explained at the time it was the intent of the sewer build out for the residents not to exceed \$12K. We have to have enough money to pay 50% and not to exceed the \$12K for the residents. Selectman Dunne reiterated that residents could go to the Board of Assessors for an abatement, which the Selectmen support. The average household betterment was stated as \$7500.

Selectman Crowley explained if we use uniform unit we wouldn't get to the 50%. He also explained that the consultant has run the formulas and believes the only way to get to the 50% is to remove the \$12K.

A resolution could be done at Town Meeting, which will express the will of the town, which is not to exceed \$12K per residential household. This will publicize what we think should happen. Town Counsel will help Administrator Kennedy with the resolution article.

Review H1N1 planning activities Bill Fisher Board of Health Agent.

Mr. Fisher read an update statement and the process going forward. Four clinics are planned in Nov/Dec. It is unknown at this time when the vaccines are going to arrive, so no dates are set yet. Information has been posted to the Town website.

Utility Pole Relocation on Shaw Street- Tom Holder, Dave D'Amico Department of Public Works and Dave Pelligri Tetra Tech,

Mr. D'Amico is working to resolve the road collapsing.

Selectman Dunne moved that the Board petition NSTAR/Verizon for the utility pole relocation on Shaw Street; Selectman Foresto second; Discussion: Poles are on town property, but on the lawns of residents. Selectman Crowley would like the residents to be contacted to let them know; All ayes 5-0.

Mr. Holder explained that Verizon would take the lead on moving the poles. Verizon will mobilize within 30 days. Within approximately 45 days (1st-2nd week in December) they will begin. The sheathing can go through a relatively deep frost line, so there should not be any issues with frost.

Melanie Phillips Treasurer-Ms. Phillips explained the bond amount is \$7.3 million and it encompasses all the bans except for the ESCO ban. Ms. Phillips reviewed the process, the \$305K premium and how the market crashing last year helped because we have a better bond rating this year. The list of items included in the bond was briefly reviewed. **Selectman Crowley moved that the sale of the \$7,328,610 General Obligation Municipal Purpose Loan of 2009 Bonds of the Town dated October 15, 2009 (the "Bonds"), to Robert W. Baird & Co., Inc. at the price of \$7,633,376.46 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on October 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:**

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2010	\$788,610	2.00%	2019	\$340,000	4.00%
2011	745,000	2.00	2020	230,000	3.00
2012	720,000	4.00	2021	225,000	3.00
2013	565,000	4.00	2022	225,000	4.00
2014	480,000	4.00	2023	215,000	4.00
2015	425,000	2.50	2024	195,000	4.00
2016	420,000	3.00	2025	195,000	4.00
2017	415,000	3.00	2029	775,000	4.00
2018	370,000	3.00			

Further Voted: that the Bonds maturing on October 15, 2029 (a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

<u>Year</u>	<u>Amount</u>
2026	\$195,000
2027	195,000
2028	195,000
2029*	190,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 24, 2009, and a final Official Statement dated October 8, 2009 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or

other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes; Selectman Dunne second; No discussion; All ayes 5-0.

ETR Veterans Benefits Mr. Mastroianni was not present and Administrator Kennedy didn't have all the details on the ETR. What she understands is there isn't enough money in his budget to carry him through on the caseload he has. Administrator Kennedy explained he is not getting as much reimbursement as she believes he should be receiving. Many communities are experiencing the same issues and ETR's because of the economy. This information was confirmed by the Office of Veteran's Affairs. Selectman Crowley would like the Veteran's agent to attend the next meeting and speak to the transfer.

School Committee Report-Diane Borgatti

Chairman Borgatti explained that the School Committee authorized Dave Verdolino to negotiate with Broadway for the Solar Panel project. Selectman Crowley asked that the Selectmen be kept apprised on those negotiations.

Mrs. Borgatti explained that the School Committee is waiting for Administrator Kennedy to communicate with them on who would authorize this contract.

There will be an ESCO tour on October 30, 2009 from 4-6pm. She explained the project is ahead of schedule.

Mrs. Borgatti reminded that the School Building Committee composition needs to be reviewed and a first meeting is to be arranged by the Selectmen.

Presentation of Budget Forecast- Carol Pratt, Town Accountant, Melanie Phillips Treasurer/Collector

Ms. Pratt reviewed the 5 yr revenue expense forecast, which was prepared as a result of section 7.41 of the charter. This was prepared for October 5, 2009 but the Selectmen postponed until tonight.

- Expenses increased by 2 % except where noted on the projection notes page 1.
- Administrator Kennedy explained the budget projections FY11-FY15 as presented.
- Administrator Kennedy believes the FY11 and FY12 projections have merit but beyond that is unknown.
- Quarterly requirements will be filed by the end of October and have been met.
- Projections were based on the previous year

Selectman Trindade asked that the excel spreadsheets, which is a compilation of this information, be sent to the Selectmen. He would like excel spreadsheets so they can manipulate.

Selectman Crowley questioned the salary line and Selectmen Trindade asked about the 5% increase in TriCounty, there is some control over this and shouldn't necessarily be 5%. Selectman Dunne asked about the School Budget. He questioned how we got to 22,517,083. If looking at level why is 22,258,375 not what to start with FY11. Spending is now at a higher level. Why not starting 22,258,375 next year? The government supplemental throws the budget off. The stimulus money is not baked into the revenue side, only the spending side. It doesn't look promising that there will be federal stimulus available for education in FY11. Maybe some, but not as much as previously thought. There is a statutorily designed formula that will generate chapter 70 money. The MMA memo shows that Ch70 could be on the table for FY10 as well as the regular state aid.

Approval FY11 Budget and 2010 Town Meeting and Election Calendars

Administrator Kennedy suggested an all boards meeting as late in the process as possible, possibly December or January. She explained a policy statement should be prepared by November 2, 2009 per the Town Charter.

Discussion – Fall Town Meeting Warrant Articles

Article 1 Selectman Dunne read Article 1 and asked where the article came from. Selectman Crowley explained that the Town is trying to consolidate some of the functions in the town. This would be consolidating the maintenance for all of town and school buildings. Administrator Kennedy explained that Town Counsel wrote the article according to statute. Selectman Foresto suggested a group be put together and research. Selectman Crowley would like the steps to be started and maybe looked at for Town Meeting.

Selectman Dunne moved that the Board removed Article 1; Selectman Crowley second; No discussion; All ayes 5-0.

Selectman Foresto moved that the Board organize a working committee made up of 7 members from major committees (FinCom, BOS, SC), 3-4 citizens and Public Works, to look at a consolidation of maintenance for town and school buildings. This group should make a recommendation as to what the town should do in this endeavor after checking MGL ch71 sec 37m; Selectmen Crowley amended the motion: Board of Selectmen should come up with the makeup of the committee and have the committee formed by the end of the year and report back to the Selectmen one month prior to the 2010 ATM; Selectman Dunne second with the friendly amendment; No discussion; All ayes 5-0.

Article 6 Susy Affleck-Childs, Planning & Economic Development Board and Will Naser, Principal Assessor was present to discuss this article. The Board of Assessors and the Planning and Economic Development Board would like to start an evolving account with the objective to start a cost recovery program. Assessor maps must be updated with land adjustments and/or property changes by the property owners. There is a cost incurred to update the maps. Ms. Affleck-Childs explained this is to put a mechanism in place to cover those costs. This year, there were 6 changes, each change cost approximately \$65, and this is the basis of the fee. The article is to establish the fund and then the Planning and Economic Development Board would establish the fee. This is a

way to keep the budget in line. Ms. Affleck-Childs explained the fees involved with the Planning Board to divide your land. By increasing a current fee, you can't allocate the fee to mapping. Town Counsel has reviewed this language.

Article 7 Will Naser, Principal Assessor

The Board of Assessors puts this article forth. This article is to allow Ch. 653 so that communities can capture new growth earlier. Currently 7/1 to 12/30, this will change to add real property between 7/1 and 6/30. The money will always be collected. This just shifts the timing by changing the cycle. This will take away the delay and we get our money faster. The Board of Assessor's has approved.

Article 8 John Emidy, Building Commissioner

This nuisance bylaw article will help to identifying properties that are not in compliance. Mr. Emidy has gone around town and taken pictures of houses in disrepair, dangerous buildings and structures and abandoned vehicles. This bylaw would catch properties before they are in disrepair. It defines what a nuisance/blight is. This is a model from Framingham and Marlborough.

Article to continue the employment of Paul L Trufant

This is a petition to continue the employment of Paul L. Trufant after he reaches age 65. Rep Vallee's office recommended there be a time limit on this petition. It will amend the retirement age from 65 to 67. This article is for the person, not the position. The chief has asked to continue working past age 65. Labor council wrote the article and the Selectmen is putting it forth. Administrator Kennedy is not sure if there is a companion article to this but she will check it out.

Article 2 Selectman Dunne believes the School Building Committee should put Article 2 forth.

Authorization of Chairman to Execute Contract with Massachusetts Cultural Council

Selectman Trindade moved that the Board authorize the Chairman to approve the Cultural Council Contract; Selectman Dunne second; No discussion; All ayes 5-0.

A meeting was set for 10/29/09 at 6pm for final review of all warrant articles.

Review of Action Items

The action items were reviewed. Selectman Crowley would like the \$81K fund reviewed and explained that the Building Committee from the new high school is now the Board of Selectmen and they should decide what to do with the \$81K. Selectman Crowley would like to have an article pertaining to this. There was a question whether or not the money can be used for something other than high school facilities, could it be used for the expenses at other schools. Selectman Crowley would like to make the school whole for the money that was taken to finish the fields etc, as well as the general fund that was allocated to the Town. This is unexpended funds from a bond issue. It was suggested that Town Counsel review this situation and give her opinion.

Selectman Dunne is looking for the reworked numbers on betterment from Chris Woodcock.

Approval of Minutes 10/6/09

Selectman Dunne moved that the Board approve the 10/6/09 minutes; Selectman Crowley second; No discussion; All ayes 5-0.

Approval of Minutes 9/21/09

Selectman Trindade moved that the Board approve the 9/21/09 minutes as amended; Selectman Dunne second; Discussion: Selectman Crowley asked for clarification on the tax work off credit. Mrs. Harrington will ask Missy Dzicek for a clarification. Selectman Crowley also asked for a review of the exact wording of the conversation with Mrs. Wieler regarding the negotiations of the School Business Office reorganization. Mrs. Harrington will obtain a copy of the tape of the 9/21/09 meeting for Mr. Crowley to review, if possible. NO VOTE was taken; this matter will be reviewed at the next meeting.

Selectman Dunne moved that the Board extend the meeting past 10:00pm; Chairman Espinosa second; No discussion; 3-2 (Selectman Trindade and Dunne were nays)

Warrants

Warrant #16 dated 10/22/09

Town bills \$468,392.66

School bills \$559,428.76

Total \$1,027,821.42

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne second; No discussion; All ayes 5-0.

Town Administrator's Report

The flushing program has been completed on time and under budget. Administrator Kennedy explained there are two pressing issues currently. The DPS Director is reviewing all the bids for the water meters. She has responded to the Weston & Sampson questions and draft of highland street tank construction.

Selectman Foresto- Mr. Foresto questioned why the School Committee seems to have a permanent place on the BOS agenda and whether or not he should continue to attend the School Committee meetings if the School Committee is going to report what's going on with their group. Mr. Foresto believes the liaisons are useful and he's wondering why the School Committee person is reporting and not just present to offer opinion if necessary. Chairman Espinosa will discuss with Chairman Borgatti for a resolution.

Selectman Trindade- Mr. Trindade attended a Girl Scout Gold Award ceremony. Vanessa Carney collected 75 backpacks, filled them with toiletries and donated them to the homeless. Nicole Hopher developed the Friends of Choate Park website and Emily

Morgan dug up the old slide at Choate, raised the funds for a new one and arranged for its installation. Selectman Trindade would like a letter of commendation prepared for each Gold Award recipient similar to the Eagle Scout commendations that are prepared.

Selectman Dunne-Mr. Dunne explained there is a Community Farm meeting at the library on 11/2/09 at 6:30pm. A website has been developed www.medwaycommunityfarm.org. The ConCom approved the Community Farm last week and planting of winter rye will begin soon.

Chairman Espinosa- Nothing to report

Selectman Crowley- Mr. Crowley advised the Selectmen that there remains an open seat on the Water/Sewer Commission and that the Selectmen should try to fill this position quickly. He also offered the information for the next Norfolk County Selectmen's Meeting and suggested that members of FinCom, the Planning Board and Administrator Kennedy plan to attend.

***At 10:30pm Selectman Foresto moved that the Board adjourn for the evening;
Selectman Trindade second; No discussion; All ayes 5-0.***

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 11/2/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

October 29, 2009 6:00pm

Sanford Hall, Medway Town Hall, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Richard Dunne, Dennis Crowley, John Foresto and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 6:05pm

This meeting is for the purpose of reviewing Fall Town Meeting Articles for the November 16, 2009 Fall Town Meeting.

Article 2 Tom Holder, Director of Public Service

Selectman Dunne read article 2.

Initially the rehabilitation of the tank was all that was being considered. It is now understood that it would be much more practical to replace the tank. There are a number of options to replace the tank. Mr. Holder is leaning towards one option because of the limited space on the property and the structural integrity of the ground. Another look will be made but at this time it looks like welded steel, glass lined is the option being considered. The choice will be solidified during the design process. The water commission has baked into their rates the cost of the tank.

Selectman Dunne moved that the board approve article 2; Selectman Foresto second; No discussion; All ayes 4-0 (Selectman Trindade had not yet arrived)

Article 10 Tom Holder, Director of Public Service

Selectman Foresto read article 10

This is to pay a medical examine and was received after the books had been closed.

Selectman Crowley moved that the board approve article 10; Selectman Foresto second; No discussion; All ayes 4-0 (Selectman Trindade had not yet arrived).

Article 11 Tom Holder, Director of Public Service

Selectman Crowley read article 11

This article pertains to the Shaw Street construction. The property owners at #4 and #6 will gift the easement to the Town prior to TM. All necessary documents will be signed by both property owners. The motion will read a gift. This will be a permanent easement

Selectman Foresto moved that the board approve article 11; Selectman Dunne second; No discussion; All ayes 4-0 (Selectman Trindade had not yet arrived).

Article 12 Will Naser, Principle Assessor

Mr. Naser offered that the new growth amount is over 20million, \$316K in tax values, which was previously \$100K because we picked up a lot of personal property. This is a change for one calendar year and the only purpose is for data collection.

Selectman Dunne moved that the board approved article 12 as written; Selectman Foresto second; No discussion; All ayes 4-0 (Selectman Trindade had not yet arrived).

Article 9 Susy Affleck Childs, Planning

This article is the mechanism to put a line item in place, an account for the money to be targeted. The Planning Board has to establish the fee. The fee doesn't have to be approved by the town

Selectman Foresto moved that the board approve article 9; Chairman Espinosa second; No discussion; All ayes 3-1 (Selectman Trindade had not 3-1 (Selectman Trindade had not yet arrived) Selectman Dunne opposed.

Selectman Trindade arrived at 6:25pm

Article 8 Paul Trufant, Fire Chief

\$7k left from other appropriations.

Selectman Dunne moved that the board approve article 8 as written; Selectman Trindade second; No discussion; All ayes 5-0. This has been approved by bond counsel.

Article 15 Paul Trufant, Fire Chief

Selectman Trindade read article 15

Administrator Kennedy found out the Selectmen don't have to put this on the Warrant. It's up to the Selectmen if they want to advance it or not.

Selectman Crowley moved that the board approve article 15, Selectman Dunne second; No discussion; All ayes 5-0.

Article 13 John Emidy, Building Inspector

Article 13 was revised today by Town Counsel.

Selectman Trindade moved that the board approve article 13, Selectman Dunne second; No discussion; All ayes 5-0.

Article 14 John Emidy, Building Inspector/Historical Commission

The demolition by neglect had been added but the nuisance and blight will address this before the demolition by neglect. The historical commission is adding the demolition section and there is a definition for historic as being older than 100 years.

Selectman Crowley moved that the board approve article 14 as written; Selectman Trindade second; No discussion; All ayes 5-0.

Article 6 Suzanne Kennedy, Town Administrator

This article was sent by Mark Cerel, CIPC Chairman. Any answers needed will be clarified when the motions are received. The article is to give CIPC the flexibility for them to go after properties of interest.

Selectman Foresto moved that the board approve article 6 with follow up from Mark Cerel for the actual numbers; Selectman Trindade second; Discussion: Mr. Cerel was unable to attend due to surgery. Selectman Dunne would like to have a discussion on the CPA fund. Do we need to be buying any more land? Selectman Foresto explained that CPC needs this approved to give them what they need to do what we set them up to do. Selectman Dunne is supportive, but unsure of the amount of money. Administrator Kennedy will get the numbers on Monday 4-1 (Selectman Dunne opposed).

Article 7

Selectman Foresto suggested this article be removed from the warrant as he has had discussions with the CPC chairman and the article is not necessary at this time and the funds will come from the administrative fund for a study.

Selectman Crowley moved that the board remove article 7 from the warrant; Selectman Dunne second; No discussion; All ayes 5-0.

Article 1 feasibility study

Selectman Crowley read article 1. This article is an article that was written by MSBA which was approved by the School Building Committee last week when they met. The committee wanted to go back and do due diligence to make sure the \$250K figure is accurate. The source of funding was discussed. We would borrow exactly what the appropriation is. They can not exceed whatever Town Meeting approves. The project won't be bonded until MSBA gives back the reimbursement. The debt service on the \$250K is \$22,500. The School Building Committee should make this presentation at Town Meeting.

Selectman Dunne moved that the board approve article 1; Selectman Trindade second; Discussion: Selectman Crowley asked the name of the committee be clarified and it was agreed "School Building Committee"; All ayes 5-0.

Article 3

Selectman Dunne read the article

Selectman Trindade moved that the board approve article 3 as read; Selectman Crowley second; Discussion: Selectman Dunne asked where the protection for the residents is. It was explained that they can come in and file an abatement and a resolution will be prepared to let the residents know the board's opinion. Town Counsel has agreed. Selectman Trindade believes Chairman Espinosa should read the resolution at Fall Town Meeting. Selectman Crowley believes that questions may be asked at Fall Town Meeting regarding the MORE jobs grant having paid the industrial park business owners fees. Town Counsel will be present to answer any questions; All ayes 5-0.

Article 4

Chairman Espinosa read the article.

Selectman Trindade moved that the board approve article 4 as read; Selectman Crowley second; Discussion: The amount of money in the article was discussed.

It was agreed to only borrow what we need as we don't want to come back for more money. Recommending \$850k at this point, \$425k will be from betterments. Selectman Dunne asked if this was a debt exclusion, this is to get the money to pay for the project. The funding is defined by Ch59 Sect. 21c and the vote to do this treated like a debt exclusion but it's not. If you accept the 21C it behaves like a debt exclusion and will be paid for by the whole of the town. This is an accounting way of making what you want to happen happen.

The question was raised, What if you don't get a positive vote? It was explained that the town would then deal with the legal wrath. One way or another it has to be paid for. It was decided that Selectman Crowley, Administrator Kennedy and Treasurer/Collector Phillips should explain this to the residents in a very clear presentation which includes the reasons for the \$850K. All ayes 5-0

Article 5

Selectman Trindade read article 5

Selectman Trindade moved to approve article 5; Selectman Crowley seconded; Discussion: It was asked if the School Committee has the authority to do this. Chairman Espinosa discussed this with Dr. Evans and Dave Verdolino and they wanted to convey what they were thinking so we could act appropriately. A discussion was had with Beth Greenblatt and she believes it's a license not a lease, but the school wants to move on and not wait two more weeks. They believe they are in a position to sign it. Ms. Greenblatt resurrected a letter to DOR on a similar project, Town Counsel said this is not debt, this is a lease, it's not a license. They are pressed for time or they will lose the grant. They want a notice to proceed to vote on 11/5. Selectman Trindade asked if there is a legal issue. Selectman Trindade believes they checked with the granting authority and so long as they show they have it started they should be ok; All ayes 5-0.

Selectman Crowley explained he would like a second opinion on the propped ConCom rules and regulations. He wonders if they are exceeding their powers and if they are within their boundaries. He has heard rumors that certain groups will take the town to court if they are passed. Town Counsel has given her opinion that they are not exceeding their powers by approving the rules and regulations. Selectman Crowley offered that Town Counsel is not an environmental engineer or an environmental attorney. Selectman Crowley is of the opinion that the town should get the consult of an attorney with environmental protection experience before they get passed.

Selectman Crowley got a name of an appropriate attorney to contract, not to exceed \$5k to review the proposed document. The attorney was given some guidelines and has been asked to act quickly because ConCom is meeting next week. Administrator Kennedy thought the price quote was pricey.

Selectman Trindade suggested to empower Town Counsel to get us another opinion in a sense validating her own opinion. Chairman Trindade suggested a separate individual for the opinion.

Selectman Foresto believes it is important and we should do as much due diligence as we can. Selectman Trindade explained the more we do to clarify is in everyone's favor.

Selectman Crowley asked if we should go forward as the whole process will clarify if ConCom can be more stringent than the state law.

Selectman Trindade moved that the board approve the request for legal services as presented by Selectmen Crowley, Second by Selectman Dunne; No discussion; All ayes 2nd Rich, 5-0.

Selectman Crowley received a call from the Board of Health this evening. Apparently the Board of Health had presented an article to be included in the warrant for this town meeting. The party that called Selectman Crowley says that Administrator Kennedy refused to bring the article before the Board of Selectmen. Administrator Kennedy advised the board that she believes this to be an operations issue, not a warrant article, as the Board of Health request is to pave the road to the dump.

Administrator Kennedy explained that the Warrant closed on 10/23 and it was received on 10/28/09, although Selectman Crowley explained that the Board of Health was told it would be fine if the article was received by Monday.

Selectman Crowley would like the warrant procedure clarified as this appears to be a question of the process. Chairman Espinosa believes a clarification on who has the right to bring forth articles to the Board is needed. It was determined that with regard to town employees requests should go through the Town Administrator but residents and other boards/commissions should go directly to the Selectmen. In this case the Board of Health is an elected board; Chairman Espinosa believes this should have gone directly to the Selectmen.

Administrator Kennedy explained this article was advanced by Carol Brodeur who is not on the Board of Health but a town employee. Chairman Espinosa explained that town employees should not be allowed to advance articles and this should have been communicated by the Town Administrator to the employee.

Selectman Crowley explained he is not talking to the article, he's talking to the process and the Board of Health voted on this article at their last meeting.

Selectman Foresto offered that the dump needs to be capped before paving can take place and there is a process on submission of articles. He believes the BOH should have gone through CIPC and/or the Selectmen and maybe a policy statement should be issued (and explained) to ensure that all employees/board members understand the process of submitting an article as Mass General Law governs this process.

The article received from the Board of Health was dated 10/23/09 and received in the Town Administrator's office on 10/28/09

Selectman Trindade moved that the board received the article to consider paving the town dump. The board voted to dismiss the article and referred the Board of Health to the CIPC for consideration of a long term capital plan request. Selectman Crowley added a friendly amendment that the Board of Health is required to go through the proper channels and should meet with CIPC. The deadline for this Fall Town Meeting warrant submission was 10/23/09; Selectman Foresto second; No discussion; All ayes 5-0.

At 7:45pm Selectman Trindade moved that the board adjourn for the evening; Selectman Foresto second; No discussion All ayes 5-0.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 12/7/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

November 2, 2009 7:00pm

Sanford Hall, Medway Town Hall, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, John Foresto, Glenn Trindade and Richard Dunne; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Richard Dunne

The meeting was called to order at 7:03pm

Public Comment: none

Selectman Trindade moved that the Board close the Fall Town Meeting Warrant; Selectman Foresto second; No discussion; All ayes 4-0 (Selectman Dunne had not arrived yet)

Joint Meeting with Housing Authority Mary O'Leary, Mike Matondi and Bob Ferrari, Housing Authority members and the recommended candidate Helen O'Donnell were present. Ms. O'Donnell, a resident of Mahan Circle would replace Don Burnham who stepped down.

Selectman Trindade moved that the Board appoint Helen O'Donnell to replace Don Burnham. Ms. O'Donnell will run for the position at the next election; Selectman Foresto second; No discussion; All ayes 4-0. (Selectman Dunne had not arrived yet)

Approval of October 19, 2009 meeting minutes

Selectman Trindade moved that the Board approve the minutes of the October 19, 2009 meeting as amended; Selectman Crowley second; No discussion; All ayes 4-0. (Selectmen Dunne had not arrived yet)

ETR Veteran's Benefits-Anthony Mastrionni, Veteran's agent

The Veteran's Agent came before the board to discuss and Emergency Transfer of \$28,000 from the FinCom reserve to his department. The economic issues in the area have caused a greater need for veteran's and has caused an increase in his caseload. He anticipates a great increase in the coming months. His budget funds were exhausted 10/30/09 and he hopes the \$28,000 to carry him through the end of the fiscal year. Mr. Mastrionni explained that most of his veteran's are unemployed; they no longer have a federal benefit and seek benefits under Ch 115. Mr. Mastrionni is unable to determine how to guess the appropriate funds needed for the future. Currently it's just a guess.

Selectman Dunne arrived at 7:15pm

Chairman Espinosa asked if at this point we should be working to find a better system to determine the number instead of a guesstimate. In years past there was a large appropriation, that dropped off and now the Veteran's Agent is forced to ask when he

needs funds. Selectman Foresto believes there must be some kind of methodology to determine and reminded all present that the state reimburses 75%.

Selectman Crowley asked who is the gatekeeper and it was explained there is a strict adherence to the veteran's benefit program and it is based on rules and regulations. Veterans must first be qualified by the office in Boston, through a thorough screening process. Veteran's benefits are separate from Welfare and take priority over welfare.

Selectman Trindade moved that the Board approve the Emergency Transfer Request of \$28,000 from FinCom reserve to fund the Veteran's Benefit Program; Selectman Foresto second; No discussion; All ayes 5-0. Administrator Kennedy explained the Veteran's Agent must go to FinCom for approval.

Emergency Transfer Department of Public Works-DPW Director Tom Holder
Mr. Holder explained that he may be able to absorb the cost of this beaver damn situation ETR at a later date. He updated the board on the beaver damn situation affecting #50 and #60 Winthrop Street.

The cost to bring in a company to resolve the problems is \$1572. The Board of Health has issued a permit and the problem should be solved by reducing the level of the water.

The afflicted party (in this case #60 Winthrop and the town, due to possible issues with the roadway) typically deals with the issue. In this case the town is going to fund the repairs. There should be activity on site within a few weeks. Within 3 weeks the project should be completed and the water should reduce. The property owner should see decrease and no increase. The property owner has been communicated with as well as an additional property owner on Delmar.

Mr. Holder emphasized that if our roadway wasn't being afflicted, it would be the property owner's issue. Selectman Trindade requested all communication be put in writing. Administrator Kennedy explained that Selectman Crowley has been out to the property.

Additional Borrowing for ESCO Project-Treasurer/Collector Melanie Phillips
This request is for the remainder of the borrowing authorization approved by Town Meeting as Article 9 on the May 11, 2009 warrant for the School Department ESCO project less \$150,000. The amount is less \$150,000 at the request of the School Business Manager for a possible grant. \$1,015,647 is the remainder. Selectman Foresto explained the \$150,000 is a rebate that came out post Town Meeting from energy conservation grants.

Selectman Crowley moved that the Board of Selectmen authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow \$1,015,647 as a Bond Anticipation Note for the School Department ESCO project; Selectman Trindade second; Discussion: Selectman Crowley explained this was an oversight by DOR and the BOS must authorize. All ayes 5-0.

Lions Permit for Christmas Tree Sale

Selectman Trindade moved that the Board approve the permit for the Lion's 2009 Christmas Tree sale; Selectman Foresto second; No discussion; All ayes 4-0. Selectman Crowley abstained.

School Committee Liaison Report Shelley Wieler, School Committee Liaison Rep

-Mrs. Wieler thanked the board for moving ahead and appointing a School Building Committee, the School Committee is excited to move forward with this project.

-Mrs. Wieler would like to invite the Selectmen and the Finance Committee to attend a presentation to review the Trane progress on Tuesday 11/10/09 4:30-6pm at the Middle school.

-Mrs. Wieler offered that Chapter 70 money will not be cut and the School Committee is looking ahead to budget planning, there are no fixed/firm numbers yet and the numbers should be out in January. The circuit breaker cuts will impact the 2010 budget. Administrator Kennedy asked about the affect on the IDEA money. Mrs. Trindade, who was also present, explained the circuit breaker reimbursement rate is down from 75% to 40%. But the school is ready to absorb/cut where needed. Administrator Kennedy asked if the IDEA money can be used to support the reduction in circuit breaker money. Mrs. Trindade explained the IDEA is very specific as to what the money can be used for. Mr. Crowley asked if allowed, would the IDEA be sufficient enough to supplement the circuit breaker. Mrs. Wieler explained the school is not talking about having the IDEA money replace the circuit breaker.

-Selectman Dunne believes there will be mid year cuts and wondered if the school is preparing for this. It was explained that the school is drawing up the needs and wish lists, looking at realities, planning and preparing.

Budget Policy

The Selectmen are obligated by the charter to come up with a budget policy. Selectman Espinosa read some thoughts. The discussion this evening will help to lay the foundation.

Selectman Dunne offered that last years policy statement was "basically rejected". He would like to go forward with a joint session of the School Committee, Finance Committee and Selectman for a discussion on this living document, once written.

Each Selectman offered some their personal thoughts.

Selectman Trindade:

-We have some idea what the revenue numbers are going to be next year, leave it at that.

-Do we need to tell the school what they are going to do?

- He doesn't believe the Town Administrator's budget is off limits.
- He completely agrees with a salary freeze.
- Should considered postponing Town Meeting until June, more time is better than less.
- He thinks we get too hung up on level service, etc.
- Once the school sees the number, it's up to them to get their job done.
- Would like to see the real impacts, and the detail on the impact.

Selectman Foresto

- Agrees with Selectman Trindade, we could spend a lot of time working on budgets, but don't know what the numbers are going to be and won't know for quite a few months.
- Every department should have a needs budget, including the school.
- Would like to understand what the trade offs are going to be and understand what they mean. If \$500K cut, how would the school play that and what would come out of their budget.
- If there isn't going to be a lot of money, let's rearrange what we have to make things better.

Selectman Crowley

- Doesn't think we should postpone the budget discussion and should come up with a budget policy.
- We may not know salary increases until the beginning of the next year.
- This isn't rocket science.
- We will not get the same amount of money from the state next year, cuts are expected. -
- Need to prepare a budget analysis based on percentage of cut.
- We were financially astoot enough to put money aside and have free cash.
- We have to be very careful that we put the caveats out as well.
- We need to come to an agreement on the budget policy and put it out within the next two weeks.

Selectman Dunne

- let's be realistic, a needs budget but live in reality.
- Have to look at where we are for revenue, only rely on the state for 25% maybe a bit more. Look at the revenue side, this is a tough time in the economy, should be asking employees to help protect the core services we offer, minimum raises and/or a freeze.
- Would rather have everyone working as opposed to layoffs and/or raises.
- Involve Fincom and the SC in adopting (we formulate) the policy, because we really didn't get support of the policy last year.

Selectman Trindade would like to look at revenue projections. Chairman Espinosa believes we should formulate a policy, schedule a joint meeting with FC and SC and begin the discussion on what we think the policy should be. Selectman Dunne would like to formulate the policy as revenue will be less than last year, act appropriately and then have all the groups meet. Selectman Crowley would like to put the numbers out there as the departments need a starting point.

Administrator Kennedy and Treasurer/Collector Melanie Phillips offered that their colleagues have all expressed they are looking at a cut of 10%. They both believe that a needs based budget and possibly some cuts should be articulated.

Chairman Espinosa advised that he has spoken to Dr. Evans and Mrs. Borgatti and they understand the numbers and understand they may have to reallocate to sustain their needs. The school understands that they are getting a certain amount that they are going to have to deal with.

Selectman Crowley would like to establish a baseline and then look at the needs budget, if necessary. He believes that we may not be able to sustain an increase if you go with a needs based budget. He thinks Administrator Kennedy should “go to all departments, explain this is a lean year and come back and give us what you think is your lean and mean budget”.

Selectman Dunne suggested we should work off the revenue side instead of the expense side.

Larry Ellsworth, Finance Committee Chairman

Offered what he suggests to be an outline of the rules

1. expect revenues to fall in this range
2. we expect to hand out revenues roughly how we did it this year
3. challenge dept. managers, revenues are flat, your prorated share is this, what’s the easiest thing to get rid of, next easiest, toughest thing, this shows the priorities
4. provide the impact in those reductions
5. come prepared, be challenged, and be ready to tell us what you can not do without

Mr. Ellsworth thinks members of Fincom could weigh in on their suggestions too.

Mrs. Trindade and Mrs. Wieler, School Committee Liaison’s offered that they had discussed budget policy in a workshop last week. They are required by law to advocate for the children, needs based, beyond that in order to provide adequate yearly progress and provides SPED resources and beyond that what we would need to do to bring budget in line. All members are perfectly aware that if revenues aren’t there, there will be cuts. Mrs. Trindade is a firm believer in a snapshot of a whole in the beginning and believes there is no clear cut until possibly June. The stimulus money was used to bump up and there is some left over for FY11, but not much. Out of 314 school districts, Medway is number 297 in per pupil spending. The cuts will be smaller than to other towns as a result.

Selectman Trindade believes each department should be presented with what we expect the revenues to be and let them come up with their own budgets. Selectman Dunne offered we are going to have “x” amount of revenue and everyone will have to live out of that amount. The question is how to divvy up that money.

Selectman Dunne asked if we can build the policy on revenue not just on expenses.

Martin Dietrich-FinCom Representative, recommended a range, but not a percentage, use a money amount or real numbers. No one can imagine a % cut. How do we make the money work?

Selectman Dunne offered that Administrator Kennedy and Dr. Evans, Superintendent, are in charge, everyone comes under them. Those employees should present their budgets, to Administrator Kennedy and Dr. Evans. Selectman Dunne would like to only have two presentations by Administrator Kennedy and Dr. Evans, we don't need to hear from all the other departments.

Administrator Kennedy offered we have an operating reserve, and asked the Selectman how that will come into play when you ask staff to make reductions

Budget projections illustrate a rate of spending that would presume the same level of Ch70 or the stimulus money.

A meeting was set for 11/5/09 at 5pm for the Selectmen to meet to establish a policy statement.

Roles and Responsibilities

This document was prepared by the Town Administrator's staff and compiled mostly from a similar document the Town of Franklin established and is the starting point for a work in progress. This is similar to a code of conduct. It was agreed that the selectmen will look over this document and its topic will be put on the 11/23 agenda.

Action items-held for the next meeting

The follow up Strategic and FY Goals meeting was set for Tuesday 1/12/10 5pm off site.

Warrants

Warrant #18 dated 11/5/09

Town bills \$511,929.38

School bills \$368,759.96

Total \$880,689.34

Selectman Trindade moved that the Board approve the warrants as read; Selectman Foresto second; No discussion; All ayes 5-0.

Approval of the September 21, 2009 Meeting Minutes

Selectman Trindade moved that the Board approve the Minutes of the 9/21/09 meeting as amended; Selectman Dunne second; No discussion; All ayes 5-0.

Approval of the October 13, 2009 Meeting Minutes

Selectman Trindade moved that the Board approve the Minutes of the 10/13/09 meeting as amended; Selectman Crowley second; No discussion; All ayes 5-0.

Approval of the October 15, 2009 Meeting Minutes

Selectman Trindade moved that the Board approve the Minutes of the 10/15/09 meeting; Selectman Crowley second; No discussion; All ayes 4-0 (Selectman Dunne was not present at the 10/15/09 meeting).

Town Administrator's Report

Administrator Kennedy offered good news as she had a conversation with the Auditor and they are very pleased with Ms. Pratt, Town Accountant as she has done an outstanding job with the audit and Ms. Kennedy is very proud of her efforts.

A discussion on impending cuts took place and we seemingly dodged a bullet on the 9c cuts. It is not unlikely that the Governor will come out with another round of cuts. She reiterated that the town provided money for the Quinn bill from town funds. Labor counsel takes the stance that the Town is responsible, so the money is baked into our budget.

Trindade-Nothing to report

Foresto-The State signed off on the Comcast agreement and we should receive the check within 30 days.

Dunne-Attended the first open meeting of the Medway Community Farm. There was great participation. Their 501c3 has been established and they are looking forward to having some work done this year. CSA shares will be issued but the details are unknown at this point.

Mr. Dunne asked about the law suit he read about in the newspaper that involved a number of residents. It was determined this topic would be addressed in executive session.

Crowley-Mr. Crowley advised that Fall Town Meeting is Monday November 16, 2009 at 7pm and asked how the meeting would be advertised. The Town Administrator will ask the school to post through their list serve and will call the press.

Reverse 911 update-Administrator Kennedy explained there is a hang up in the contract negotiations with the issues being in the terms and conditions.

HR attendance at school contract negotiations-Administrator Kennedy explained the HR Director has only had time to attend the teacher sessions.

Espinosa-Explained the new phone system has been installed in Town Hall

Vaccines-Administrator Kennedy explained Medway has received 50 vaccines and there have been some discussion as to who VNA should supply to and it is possible that the EMS workers may be first on the list. She explained that hospitals, doctor's offices and clinics are first priority over the towns. There will be a critical mass that will accrue and

Chairman Espinosa would like the Health Agent to verify the doses received belong to Medway.

The status of the Attorney to be hired to review the legal issues with ConCom was discussed. This contract is not to exceed \$4500. Selectman Crowley explained he will have a report in his hands by late Wednesday. There was an issue with the Rules and Regulations on the ConCom website that will be resolved.

At 9:07pm Selectman Crowley moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel) and Exemption 6 (To discuss the purchase, exchange, lease or value of real property....) with the intent to return to open session. Seconded by Selectman Foresto; no discussion; Roll Call Vote Crowley-aye; Espinosa-aye; Foresto-aye; Dunne-aye; Selectman Trindade had left the meeting..

Selectman Foresto moved that the Board adjourn the Executive Session at 9:27pm and return to open session; Selectman Dunne second; Roll Call votes; Foresto-aye, Dunne-aye, Crowley-aye; Espinosa-aye; 4-0

At 9:29pm Selectman Dunne moved that the Board adjourn regular session for the evening; Selectman Foresto second; No discussion; All ayes 4-0.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 12/7/09

MINUTES OF THE SELECTMEN'S MEETING FINAL

November 5, 2009 5:00pm

Sanford Hall, Medway Town Hall, Medway, MA

Present: Chairman Andrew Espinosa, Selectmen Dennis Crowley, Richard Dunne, John Foresto, Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

The meeting was called to order at 5:04pm

Public Comment: none

The purpose of this meeting is to finalize the Policy Statement.

Administrator Kennedy reviewed some details as presented by her financial team. It was suggested that the Selectmen consider level funding revenues as \$39,947,653, which is based on the 2010 figures (2 ½% and \$100K for new growth is included).

If reduce the level funding revenue by 5% in state aid: \$39,427,103

If reduce the level funding revenue by 10% in state aid: \$38,906,553

The question remains, once the revenue number is decided upon, how should the revenue be allocated. Administrator Kennedy suggested that it might be the best scenario to use the Schedule 19 figure that is submitted at the end of each year to the state, as it is the most fair and equitable. It is the amount appropriated at Town Meeting plus the charge backs (retirement, health insurance, parks and park maintenance etc), also called indirects/unclassifieds. This number is determined by an old formula that was agreed upon between the town/school years ago. The debt service is school reported within the Schedule 19.

Administrator Kennedy reviewed the Revenue Allocation Medway School Department Historical Schedule 19, The Allocations to other Town Budgets, and the FY2011 Revenue Allocation applied to projected revenues with 5% state aide reduction charts.

The reserves and possible stimulus monies have not been factored into these equations. .

The staff reviewed some other methodologies but this is the only one that really makes sense.

It was suggested at the last meeting that the plan should be to put a best guess on the revenue number, then both the school and the town build their budget knowing this is their piece of the pie. Each side presents through the head of staff (Administrator Kennedy and Dr. Evans so there is not multiple meetings and/or one with every

department. The departments would be given their number and they will have to work with it.

When you move the indirects (3.9million) from Schedule 19 and move to town side, where it's paid, the figures are 56% to the school and 46% to the town.

Mrs. Borgatti presented the Medway Public Schools FY2010 & 2011 Budget Forecast November 5, 2009. School side revenues seems to be in line with the numbers we have had presented by the Town Administrator.

Selectman Crowley asked Mrs. Borgatti to clarify the ARRA revenue v. expense and explain where the difference of approximately \$350K has been spent. Mrs. Borgatti will investigate and report back to the Selectmen. Discussions took place on the IDEA money as well.

All agreed that \$39,947,653 as the level funded number, this number is the basis of the conversations going forward. The question still remains how to set the policy with \$39,947,653 as the starting point.

Selectmen Trindade is fine with the 66% to the schools and 33% to the town.

Selectman Foresto is ok with the 5% reduction, but 10% may be a reality. He is comfortable with building the budget with the 5% reduction.

Selectman Dunne is optimistic at 5% and 67/33.

Selectman Crowley is on board with 5% reduction and 66/33 and believes that the \$17,349,000 is \$500K short in the municipal side.

Chairman Espinosa is fine with the 5% reduction but would like 2 scenarios requested. Give each side two revenue numbers to work with, one number being level funded and the second a 5% reduction. There are still unknowns (reserves and other funding).

The policy is....you get this much money and you're going to need to work with it.

Selectman Crowley believes the school budget is higher than it was last year and wants to be certain the Selectmen are comfortable with the school getting more money this year than they got last year.

Administrator Kennedy explained that both the town and school are being cut by \$500K, but the school has their reserve from last year and that's just the way it goes.

Chairman Espinosa believes that the Board of Selectmen establish a policy based on the charter, if asking for a level funded and 5% reduction that the school needs to be prepared to work accordingly.

Administrator Kennedy explained the 56/44 because the town has to absorb the charge backs. \$22,077,494 and 17,349,609

Ms. Phillips, Treasurer/Collector believes they should be given the numbers and ask the department heads for impact statements and make decisions from there.

Selectman Crowley moved that pursuant to the Charter, the Board of Selectmen will set a Budget Policy Statement based on an anticipated revenues of \$39,427,103 (which reflects a 5% reduction in state aid), with \$22,077,494 being allocated to the school and \$17,349,609 being allocated to the town. All departments will provide the Board of Selectmen with impact statements, which will outline in detail the net impact of their operations. Selectman Dunne second; 4-1 (Chairman Espinosa opposed).

The policy statement will be voted on at the 11/16/09 meeting and then be released. Administrator Kennedy will organize a joint meeting of the Selectmen, School Committee and Finance committee after 11/16/09.

There was a brief discussion regarding the solar contract that is possibly being due to be signed by the School Committee later this evening. Town Counsel has clarified that the School Committee is empowered to sign the contract. It was agreed that the contract should be signed based on the Town Meeting approval.

Selectman Crowley would like to see the changes to the contract that have been made. Mrs. Borgatti explained that as of yesterday the School Committee had not seen the contract yet.

Selectman Dunne asked if everything was all set with ConCom and if the consultant had produced an opinion/interpretation. Selectman Crowley advised he is comfortable with the Attorney's interpretation. Copies will be made for distribution at the ConCom meeting later this evening.

Selectman Foresto moved at 6:23 to adjourn for the evening; Selectman Trindade second; No discussion; All ayes 5-0.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 12/7/09

Board of Selectmen Meeting FINAL
Monday November 16, 2009
6:00pm
Medway High School Room 111-1 Medway, Massachusetts

Present: Chairman Andy Espinosa, Selectmen Richard Dunne, John Foresto, Glenn Trindade and Dennis Crowley, Town Administrator Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

Call to order 6:02pm

Public comments: none

Adoption of a non binding resolution

Selectman Dunne moved that the Board adopt the non-binding resolution in connection with the sewer betterment article; Selectman Crowley second; No discussion; All ayes 4-0. (Selectman Trindade had no arrived yet)
Selectman Crowley will read the resolution at Fall Town Meeting.

The order of the articles was discussed. The motions were reviewed. Article 3 and 4 motions were discussed in detail. Town Counsel was present to offer her theory on her written motions.

Appointments to School Building Committee

Selectman Crowley moved that the Board appoint Larry Muench, Martin Dietrich from the Finance Committee and Shelley Wieler from the School Committee to the School Building Committee; Selectman Dunne second; No discussion; All ayes 4-0. (Selectman Trindade had not arrived yet)

Selectman Trindade arrived at 6:40pm

Approval of 11/10/09 minute

Selectman Trindade moved that the Board approve the minutes from the 11/10/09 meeting; Selectman Foresto second; No discussion; All ayes 3-0 (Selectman Dunne and Crowley abstained as they were absent).

Warrants

Town Bills \$474,438.48
School Bills \$238,695.13
Total \$713,133.61

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne second; No discussion; All ayes 5-0.

Selectman Crowley suggested to the moderator that discussion on the sewer project be limited to only the sewer project and not the repairs and conditions of the roads etc.

At 6:42pm there being no further business to discuss, Selectman Foresto moved that the Board adjourn for the evening; Selectman Trindade second; No discussion; All ayes 5-0.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 12/7/09

Board of Selectmen Meeting Minutes FINAL
Monday November 23, 2009
7:00pm
Sanford Hall, Medway Town Hall

Present: Selectmen Richard Dunne, John Foresto, Glenn Trindade and Dennis Crowley,
Town Administrator Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Chairman Espinosa

Call to order 7:05pm

Public Comment: None

Public Hearing FY 2010 Tax Classification Hearing:

**Selectman Trindade moved that the Board open the Public Hearing at 7:06pm;
Selectman Foresto second; No discussion; All ayes; 4-0.**

Will Naser, Principal Assessor, Jay Newton, Jack McKiernan and Pete Manning were present from the Board of Assessors.

The Board of Selectmen's role is to determine if there will be a single or split tax rate and the Board of Assessor's makes a recommendation. Mr. Naser presented an in depth presentation to the Board for their review.

**Selectman Dunne moved that the Board does not adopt a residential exemption;
Selectman Trindade second; No discussion; All ayes 4-0.**

It was recommended by the Board of Assessors that the Selectmen do not adopt a small commercial exemption.

Selectman Dunne moved that the Board does not adopt the small commercial exemption; Selectman Trindade second; No discussion; 4-0.

Selectman Crowley pointed out that this is exactly the same process as in prior years and commended the Board of Assessors and Mr. Naser for their efforts and the Board was advised this is the first time since Administrator Kennedy has been employed in Medway that this hearing was held in November.

A single v. dual tax rate was discussed. The Board of Assessors believes the tax rate should be dual because of the large number of residential in Medway, but historically Medway is a single rate and the Board of Assessors support that as well.

**Selectman Trindade moved that the Board adopt a single tax rate for FY 2010;
Selectman Crowley second; Disc: DOR must approve the tax rate; All ayes 4-0.**

The Tax Levy was discussed and it was explained that the Prop 2 ½ is an automatic for every city and town and increases the levy by 2 ½ % automatically. There is an increase in levy but the assessed property values have decreased. Selectman Dunne explained to the residents what a tax levy is and Mr. Naser explained new growth.

The tax rate has not been set yet, but because of the decrease in value, the tax rate will most likely increase. The rate will be set by the Board of Assessors and approved by the DOR.

Selectman Trindade moved that the Board close the public hearing; Selectman Crowley second; No discussion; All ayes 4-0.

Discussion on Meeting Minutes was held for a future meeting.

Discussion on Action Items was held for a future meeting.

Inter fund Transfer-Treasurer/Collector Melanie Phillips

Ms. Phillips explained the reason for this inter fund transfer is to pay the outstanding bills for the sewer project. An amount of \$950,000 was approved at the 11/16/09 Fall Town Meeting.

Selectman Trindade moved that the Board approve the inter fund transfer of \$950,000 from the General Fund for the purpose of payments on the sewer project; Selectman Crowley second; No discussion; All ayes 4-0.

Chief Paul Trufant

Chief Trufant came before the Board because of a question regarding a training exercise that was held over this past weekend. This had been a planned exercise but no dates were set as the exercise was awaiting approval from DEP. Chief Trufant had been addressed because the Selectmen were not aware of this project before it took place. Chief Trufant explained that Administrator Kennedy was aware of the exercise and the fire department has never told the selectmen of these types of events before. An academy coordinator was on site. Firemen from Millis, Norfolk, Holliston and a gentleman from Walpole were present. A single family home that was to be demolished was involved in 10 different exercises.

Lease of 42 Broad Street for Public Works Garage and Office Space- Tom Holder, DPS Director

Mr. Holder clarified that this is not a lease for property on Broad Street, but at this time it is a month by month rental agreement and he will advertise for proposals in the spring to enter into a multi year lease. Town counsel has crafted this agreement and the landlord has already signed.

The DPS has been struggling with a location to store expensive equipment. This facility is a more suitable garage space where the majority of the equipment can be stored. This facility has office space (to be used by the Parks Dept.) and bathroom facilities etc. This will benefit the department.

Selectman Trindade moved that the Board approve the month to month rental agreement for 42 Broad Street, not to exceed \$1200 per month; Selectman Crowley second; Discussion: Mr. Crowley questions what would happen to the trailers that are used now to store equipment and Mr. Holder will look into what that status is; All ayes 4-0.

A discussion took place regarding the title of Mr. Holder's department. Currently it is the Department of Public Service. At the next Town Meeting there will be an article on the warrant to change it to the Department of Public Works.

Custom Copper Change Order #2 and #3-Tom Holder, DPS Director

These are covered by the grant for funding.

Selectman Trindade moved that the Board authorize the Chairman to sign change order #2 with Custom Copper in the amount of \$5,579.00 for work on the Thayer property, these funds will come from CIPC funds not the general fund; Selectman Crowley second; No discussion; All ayes 4-0.

Selectman Trindade moved that the Board authorize the Chairman to sign change order #3 with Custom Copper in the amount of \$12,149.00 for work on the Thayer property; Selectman Dunne second; Discussion: Selectman Crowley wanted to be assured the Historical Commission and Project manager are both in agreement with these change orders and that going forward the paper work is filled out thoroughly; All aye 4-0.

Putnam Pipe Contract –Tom Holder, DPS Director

This is for the purchase of water meters. The project will be done in two phases, purchase and then installation of the meters. The funding of \$269,115.00 is through the water rates and approved through the Fall Town Meeting.

Selectman Trindade moved that the Board authorize the Chairman to execute the Contract with Putnam Pipe in the amount of \$269,115 for purchase of water meters; Selectman Dunne second; Discussion: Selectman Crowley would like to make sure that Town Counsel has reviewed warranty as it says 1 yr from date of installation and they will not be installed immediately. All ayes; 4-0.

Mr. Holder explained they are selecting a vendor to begin the installation process early in the spring and he believes he will more quickly through that process. The vendors being considered have software that is compatible with Munis. The meters will not be "drive-by" read, each home will have a transmitter and transmit to town hall. This is referred to as a "Fixed network"

Selectman Crowley asked Mr. Holder for a list of sidewalks that need to be repaired as this was a question of residents at Fall Town Meeting. Mr. Crowley asked for this information to be reported back to the Selectmen within two months.

Selectman Trindade would like to view the policy on how resident's bills will be dealt with as it is expected there could be some large water bills after the meter change.

GATRA Contract Missy Dzizcek

Ms. Dzizcek explained that this is the same contract as last year and same amount of money. We are still doing transportation to Norfolk and seniors/disabled to doctors and/or wherever they need to go. There are approximately 48-52 trips back and forth to Norfolk with 18 passenger buses. So far we are breaking even.

Selectman Trindade moved that the Board authorize the Chairman to approve the GATRA contract of \$81,178.00 for 7/1/09 to 6/30/10; Selectman Foresto second; No discussion; All ayes 4-0.

School Committee Liaison Report Debora Trindade

The School Committee wanted to thank the Selectmen for their support on the solar panel and OPM articles and she explained the School Building Committee is actively working on selecting an OPM.

A flu clinic has been scheduled for 12/9 for Medway residents of specific categories and the absentee rates have been relatively low.

Mrs. Trindade commended the drama club for their recent presentation. She explained that the Parent Portal is now on line for the Middle School. It has been suggested that health curriculum courses be addressed in the future and the school wellness program was present at the last school committee meeting.

Warrants-

Warrant #21 11/25/09

Town bills \$680,660.77

Gross payroll Town \$201,292.38

Gross payroll Schools \$742,194.13

Grand total \$1,624,147.28

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne second; Discussion: Selectman Crowley mentioned that a large sum of the Town bills was a large payment to \$550,000 to TRANE; All ayes 4-0.

Emergency Transfer School Building Committee

Selectman Trindade moved that the Board approve the Emergency Transfer from Fincom reserve to the School Building Committee to pay the secretary, not to exceed \$1000; Selectman Crowley second; Discussion: Administrator Kennedy explained there is no budget for this group as it's a new committee; All ayes 4-0.

Board of Selectmen FY2011 Budget Policy Statement

Selectman Dunne read the policy statement as prepared and it will be presented to the School Committee and Finance Committee at their joint meeting on 12/1/09 at 7pm in the School Committee Room.

Selectman Trindade moved that the Board approve the Budget Policy Statement as read by Selectman Dunne; Selectman Dunne second; Discussion: Selectman Crowley would like a footnote added on the policy statement to explain that the allocation does not include stimulus monies. Selectman Trindade moved to accept a friendly amendment that we add a note: that this doesn't include the possibility of any federal stimulus monies. All ayes 4-0 with friendly amendment.

Town administrator report-

Administrator Kennedy and the Building Inspector would like to make some amendments to the Nuisance bylaw with the help of Mr. Rodenhiser and a few selectmen so that this bylaw is more understood. This will be worked on over the coming months to be presented again at the Annual Town Meeting. Selectman Foresto believes that public hearings should take place for resident input.

A meeting will be arranged with the Library chair to discuss regionalization.

Administrator Kennedy will be meeting with Mariel Stone, Bureau Chief at DEP Water Dept. An email was sent to her with our accomplishments and Mr. Holder and Administrator Kennedy will meet with her early in December.

H1N1 update-Grades K-9 is the focus, grades K-3 must have 2 shots and she feels comfortable now we have what we need.

Administrator Kennedy is seeking residents who are interested in serving on a green committee/energy committee. This will be town wide.

Selectmens reports

Foresto-300th anniversary has not moved forward, this will be put on the next agenda to discuss.

Trindade- Is still looking for budget projections spreadsheets. Administrator Kennedy will get that taken care of before next weeks meeting.

Crowley-Explained the beaver situation is being addressed and some improvement on the water level has been noted. He asked if the tax bills are on tract, financials have to be approved by DOR before tax rate is approved, and was sent to DOR over a week ago. This process is a full 5 weeks ahead of schedule. Selectman Crowley asked if Free Cash had been certified yet, Administrator Kennedy explained that is about 5 weeks away and she hopes to hear by the end of the year.

Dunne-The Community Farm Liaison committee is going well, the farm house has been buttoned down for the winter, putting in winter rye, 501c3 status has been obtained and they are looking for donations and/or help. The barn is still standing and waiting for machinery to be brought in to tear it down.

At 8:30pm Selectman Crowley moved that the Board adjourn to Executive Session for exemption reason number 3 "To discuss strategy with respect to collective bargaining or litigation" with no intent to return to open session; Selectman Trindade second; Roll call vote; Foresto-aye, Crowley-aye, Dunne-aye, Trindade-aye

Respectfully submitted,
Wendy Harrington
Board Secretary *Approved 12/7/09

Board of Selectmen Meeting Minutes-Final
Monday December 7, 2009
7:00pm
Sanford Hall, Medway Town Hall

Present: Chairman Espinosa, Selectmen Glenn Trindade and Dennis Crowley, Town Administrator Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Selectmen Foresto and Dunne

Public Comment: None

Review of Prior Meeting Minutes

Selectman Trindade moved that the Board approved the Minutes of 11/23/09 as amended; Selectman Crowley second; No discussion; All ayes 3-0.

MDPH grant Selectman Trindade moved that the Board accept the grant award of \$22,394.34 from Mass Department of Public Health for public health emergency response, ma dept of public health; Selectman Crowley second; No Discussion; All ayes 3-0.

H1N1 Updates Bill Fisher Mr. Fisher gave an update of the H1N1 Clinic being held on December 9, 2009 from 4-8pm at the Middle School. Mr. Fisher thanked all the volunteers for their help. Mr. Fisher gave some background information and updates on doses received etc. He believes he will have more than enough money to pay for the clinics and their associated expenses. Administrator Kennedy explained there will hopefully be enough funds to pay for the anticipated participation after the school survey results were reviewed. There is no source for additional funds should any additional funds be needed. The dates of the next clinics are undetermined at this time but a mock clinic was held and EMT's and security will be on hand at all clinics.

Selectman Trindade moved that the Board accept the grant award of \$22,394.34 from public health emergency response, ma dept of public health; Selectman Crowley second; No Discussion; All ayes 3-0.

Ratification- Memorandum Of Agreement With Firefighters Association

Susan Ellis-HR director was present and explained the negotiation process she has completed with the Firefighters Association. The agreement is a memorandum to the current contract (this is a memorandum because the contract expired 6/30/09) consisting of a 1 yr contract with a 0% increase, which includes a re-opener. The contract consists of a few dollar items and some changes in the language. Ms. Ellis explained the Firefighters Association was terrific to work with.

Selectman Trindade explained that all contracts ended, expire 6/30/09 and all contracts are now under negotiation, which are difficult to negotiate due to budget constraints.

Selectman Crowley asked Ms. Ellis to clarify the articles that have been negotiated. There was a clarification of current practice with uniforms. These are already in the fire budget and a given that they are supplied.

The clothing allowance was clarified as \$1000 per full time firefighter. Selectman Crowley would like this to be reviewed to see if the expense could be paid by the ambulance enterprise account. He would like Administrator Kennedy to look into this cost allocation.

Selectman Crowley would like to thank the Firefighters Association. He knows they understand the financial situation of the town and thanked them for working with the Town. Administrator Kennedy put together a press release which Chairman Espinosa read.

Selectman Trindade moved that the Board approve the Memorandum of agreement with the Firefighters Association; Selectman Crowley second; Discussion: Selectman Crowley requested the verbiage be changed to read \$1000 per fire fighter so the intent is clear; All ayes 3-0.

Contract with fiber optic municipal area network-Rich Boucher

June TM approved the installation of fiber optic in phased implementation between the schools and municipal sites. The contract is with Comm-Tract, a state approved vendor. Town Counsel has approved. Mr. Boucher explained as part of the Comcast agreement, they will no longer support the cable system at town hall etc. Comcast is funding a lot of phase 2 in order for this to happen. The fiber optics will support the security and speed of the MUNIS system so that employees can work efficiently.

Mr. Boucher explained that some of the long term benefits of this project include: the band with will be limitless, so that file storage can be backed up etc., an internal security system town wide, wireless systems, backup systems, public meetings can be easily televised from other town locations, SCADA system, town barn, police, library, choate, senior center, schools. The total cost for all phases is \$190,000, \$55,000 for phase was funded by a November TM vote and the balance of \$135,000 from Comcast. There are sufficient funds for the first two phases and phase three is not earmarked. Administrator Kennedy added that the monies will need to be appropriated at ATM from the Comcast funds. Selectman Foresto reviewed the scope of work, but has not reviewed the contract. Town Counsel has thoroughly reviewed. Mr. Boucher would like to start moving forward with phase 1, thus this was added to the agenda this evening.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with Comm-Tract Corp in the amount of \$54,801 for the installation of a fiber optic municipal area network; Chairman Espinosa second; No Discussion; 2-1. Selectman Crowley voted Nay. He is in favor of this project but he did not receive the contract to review prior to the meeting and would like more time to review all contracts in the future.

Grant expenditure-Division of Local Mandates for senatorial election

The Secretary of State's office offers a grant to pay expenses incurred with the senatorial primary. Town Clerk Maryjane White was not present for this discussion as she was setting up for the primary tomorrow. Administrator Kennedy explained she is unsure if more funds will be available for the election in January. It was noted that the Town Clerk explained the January election should cost approximately \$8000.

Selectman Trindade moved that the Board accept the grant award in the amount of \$1236.00 for cost of extended polling hours and the election; Selectman Crowley Second; Discussion; Selectman Trindade suggested extended polling hours and offered that he read in a newspaper that Medfield uses high school students to volunteer to supplement for earlier polling hours and he asked Administrator Kennedy to offer this as a suggest for budgeting to the Town Clerk. All ayes 3-0.

Appointment to Water/Sewer Commission

Chan Rogers-chairman of water/sewer commission was present and a discussion took place about finding another resident willing to serve on this committee. There are currently two members and a third is needed with some technical and financial background. Selectman Trindade suggested maybe a member of the Finance Committee would be willing to serve but then Mr. Ellsworth reminded him that as a member of the Finance Committee you can only serve on one town committee.

Chairman Espinosa will poll the list of residents who were part of an email list that had water issues.

CIPC Appointment to the School Building Committee Administrator Kennedy explained another member is needed to serve on the Medway School Building Committee. The Town Administrator will contact the CIPC chair for a volunteer.

Townwide Energy Committee-

Administrator Kennedy explained the idea of a green community and explained the options that were explained in an email to the Selectmen. It was suggested that members of the ESCO committee be polled for involvement. Selectmen Foresto and Mrs. Weiler will contact the panel. Some members from other communities have contacted Mrs. Weiler and have offered their experience and knowledge. This will be discussed again at the next meeting.

Medway 300th held for discussion at the next meeting

School Committee Liaison- Shelley Wieler

The finance subcommittee will be meeting with the Fincom liaison soon. The School Committee does appreciate the information and discussions from the joint meeting last week. They would like to get rolling on the budget soon. The School Committee would like to extend an all happy holiday's of the season to the Board of Selectmen.

Conservation Commission This discussion was held to the next meeting.

License Renewals

Alcohol license renewals are all set

Common victual licenses- there are still some who are outstanding but the TA's office will make some calls this week to work to collect the remaining paperwork which must be completed by 1/1/10.

Selectman Trindade moved that the Board approve all alcohol, common victualler, live entertainment, amusement, billiard, Class II, Class III, and auctioneer license renewals as presented by the Town Administrator's office conditional upon the fulfillment of the requirement of renewal. Those not resolved by 12/31/09 are subject to license forfeiture; Selectman Crowley Second; Discussion: Selectman Trindade explained each business has license requirements that are standard. Part of the process is to ensure they are operating properly. This is an annual process. It was noted that there are fees involved and Chairman Espinosa asked if there is a fine for those who don't comply by 12/31/09. Ms. Potter explained currently there is not but she would like to pursue this as an option. She explained this is a timely process. Selectman Crowley felt strongly that no more time should be spent by the staff chasing after these businesses. If they can't comply timely, the police and board of health should be notified on 12/31/09. Selectman Trindade suggested contacting Town Counsel for her opinion; All ayes 3-0.

Maryjane White-arrived and explained she wasn't present for the grant discussion because she was setting up for the poles tomorrow. She explained the grant has been received for the last 18 years. Selectman Trindade suggested the use of High School volunteers to work early morning poll hours. Ms. White thinks that it's her job and she believes that poll workers are more than capable. Medway has been through a recount and she is not going to risk anything to save money if that's the point. Selectman Trindade explained it was a suggestion which makes sense to open the polls earlier for those trying to get on the road to work and HS volunteers would not hurt the budget.

Budget Calendar

Possible changes to the budget calendar were bolded for this discussion. These changes were made to help all for additional time to analyze the governor's budget.

Town Meeting will be moved from May to June. Selectman Crowley believes the town needs to apply to move the date. Administrator Kennedy will check with Town Counsel on this issue.

Selectman Crowley explained that the dates were moved out two weeks for the school to review allowing four weeks for the Selectmen to consider. He explained that since there is such a larger impact for the school, why not give the schools an additional week if they need it and then the Selectmen will have three weeks to review. All departments would get three weeks, not just the school department. Administrator Kennedy will rework the dates as agreed.

Chairman Espinosa will firm up the policy statement.

Approval of Past Meeting Minutes

Selectman Trindade moved that the Board approve the 10/29/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/2/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/5/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/16/09 Minutes as amended; Selectman Crowley second; No discussion; All ayes 3-0.

Action items-were reviewed

It was agreed that some items should be amended to add more information and Mrs. Harrington will remove all that have been completed.

There is an item regarding \$81k which is a remaining sum from the High School Fund. Some items were outstanding and since have been resolved. The \$81,000 is sitting in an account. Selectman Trindade explained that the Selectmen appropriated \$39K for materials for the High School field house at the football field. It is his hope that a portion of that money can be used to make Fincom whole by re-appropriating the money back to Fincom.

Administrator Kennedy explained that this remains an unspent balance and she would like it to go to maintenance of the High School. She explained the amount can not be put back to the general fund for a fiscal year that has already gone by and it must be used for a school purpose. Mr. Crowley believes it should be allocated to the school and the school allocate to the town to pay Fincom back. Administrator Kennedy explained that she confirmed with Town Counsel.

Selectman Trindade explained that the money could not be used for the concession stand because it didn't meet the criteria, couldn't use state allocated bonded money and at the time there was potential litigation so the decision was made to seek funds from Fincom. But there was the intent to make Fincom whole again. Administrator Kennedy explained there was no resolution to the litigation and this should be left as an action item. Selectman Crowley would like documentation in writing from the Town Accountant detailing the reasons why this can't be allocated back to Fincom. Both Larry Ellsworth, Fincom and Shelley Wieler, School Committee, asked for copies of the same document.

Add to action items—

-Add reverse 911 update, this is not resolved with the vendor yet.

- Meter warranty clarification Tom Holder
- ARRA revenue and expenses difference of \$350K-clarification on the surplus on the ARRA money and the balancing of the funds on the IDEA and circuit breaker dollars.-SK will email Diane Borgatti

Selectmen Reports

Trindade-nothing to report

Crowley-MSBA grant, update: town approved \$250K at TM for the funding of an OPM and architectural study. They have met and chosen a firm and will present to the full committee tomorrow.

-Budget Policy-has it been established. Chairman Espinosa clarified a living document was present to the joint meeting. The document needs to be finalized.

Selectman Crowley believes that the document has been voted on and finalized. Need to provide some items that need to be corrected. Selectman Crowley wants to ensure the Policy remains 56/44. Chairman Espinosa will put together the changes from that meeting and then vote on it again. The Chairman doesn't recognize that the policy is all set.

Selectman Crowley read the motion where the policy statement was approved. He is clarifying that after the changes are made they should be brought before the board to review and vote again. Chairman Espinosa will be putting the calendar together, putting the impact statement together and will prepare where the numbers are coming from etc.

Selectman Trindade suggests a presentation should be given to the SC and Fincom so that all are clear on where the figures came from.

Chairman Espinosa explained a breakdown of the revenues should be prepared; a policy statement should be reviewed. A packet with all information will be reviewed at the next Selectman's meeting and voted on.

Selectmen Espinosa, Trindade and Crowley attended the Habitat for Humanity home presentation on Walker Street and praised the affordable housing committee for a job well done.

TA Report

-She has been working on a funding project for the TRANE project. This funding makes the school eligible to seek a grant for a sum of money that may reduce the Trane contract cost. This was submitted today with the help of Beth Greenblatt with hopes that something will come from it. They are also applying for state and federal funding.

-Ch 70 shortfall-there was an agreement that ARRA money received in FY2010 would be used for the shortfall. She asked that Mrs. Wieler check with Dr. Evans on how this will be recompensed as she would like to have Dr. Evans address and resolve this whole issue. Chairman Espinosa suggested Administrator Kennedy attend the next school committee meeting to address. Mrs. Wieler will ask the Assist. Superintendent to address now.

-Happy that the Fire/EMS came to the table and appreciates their cooperation.

Warrant #23 12/09

Town Bills \$378,315.74

School Bills \$260,920.00

Gross pay \$240,495.37

Gross pay school \$760,176.21

Total #23 \$1,640,007.32

Selectman Trindade moved that the Board approve the warrant as read; Selectman Crowley second; No discussion; All ayes 3-0.

At 9:00pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position) and Exemption 6 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position) with no intent to return to public session. Selectman Crowley seconded; no discussion; Roll Call Vote Trindade-aye; Espinosa-aye; Crowley-aye.

Respectfully submitted,

Wendy Harrington

Board Secretary

*Approved 12/21/09

Board of Selectmen Meeting Minutes-Final
Monday December 21, 2009
7:00pm
Sanford Hall, Medway Town Hall

Present: Chairman Espinosa, Selectmen Glenn Trindade, John Foresto, Rich Dunne and Dennis Crowley, Town Administrator Suzanne Kennedy and Board Secretary Wendy Harrington

Absent:

Public Comment: None

The meeting was called to order at 7:03pm

Selectman Trindade moved that the Board approve the Minutes of 12/7/09 as amended; Chairman Espinosa second; Discussion: amendments were mentioned; 4-1 (Selectman Dunne abstained).

Selectman Dunne moved that the Board appoint Missy Dizcek to the GATRA board; Selectman Crowley second; No Discussion; All Ayes 5-0.

Action items

- Comcast issue should be directed to the DPW head with the water tank reconstruction in the future and Selectman Foresto will be a part of that transition.
- Consolidation of town/school functions to be discussed at the January 4, 2009 meeting
- DPS to DPW-Selectman Dunne has spoken to two members of the Charter Committee, The Charter spoke to why it's DPS. Selectman Crowley believes it will be spoken to at ATM
- Sidewalks to the 1/19 agenda
- Reverse 911-Administrator Kennedy is addressing the contract issues with Town Counsel who is working with another town using the same vendor. She wants to make sure our liability issues are all set before signing with the vendor, 1/19/10 agenda.
- Meter warranty will be addressed at the 1/4/10 meeting
- Budgets to actuals-Administrator Kennedy will continue to work on this and will address at the 1/4/10 meeting.
- Water issue-Chairman Espinosa will email this week
- Other items are all set

H1N1 update-Bill Fisher, Health Agent

Mr. Fisher gave an update on national statistics as well as locally. Approximately 1,000 shots have been distributed with a second round being organized and there are plenty of doses available currently.

Discussion- Route 109 Project-Tom Holder, Paul Yorkis, Chan Rogers

Mr. Yorkis thanked many members of our legislature and community for the success we have had thus far getting this project started. A sum of \$400,000 has been received, Congressman McGovern would like to meet with members of the Board of Selectman and Administrator Kennedy on 12/29/09 at Town Hall and then visit the business district. Mr. Yorkis will notify Administrator Kennedy with a time.

Mr. Yorkis would like the BOS to authorize the Town Administrator to start to look into choosing a designer for the project. The project has the funding but still specifically not on the TIP list, but because having the funding, it's easier. He requested the Selectmen send a letter to the Boston MPO and ask them to add the Medway Project to the Tip list. Mr. Yorkis would be happy to draft the letter.

Members of the Selectman asked if this item had to go to TM in order to spend the money. Administrator Kennedy will check into this and report at the next meeting. **Selectman Dunne moved that the Board authorize the chair to draft a letter to MPO for their meeting in January, Selectman Trindade second; No discussion; 5-0.**

Mr. Yorkis explained the \$400,000 can be used for the design work. The president has signed the bill that the money is ours. This project couldn't get on the tip list before because it was not at the 25% design phase and no money in hand. Now that there is money it can get on the tip list. The next time the project is submitted to the fed's for construction funding the application will have the funding box checked and will go on the list. Mr. Yorkis will have another announcement in January regarding the \$300,000 mentioned in the past. He is confident he can get to where we need to be with the combined \$700,000. The language being used to the Feds, it includes design, engineering and construction, and trying to avoid the use of Chapter 90 funds.

We have an opportunity to explore through a grant funding for bus transportation between Medway/Holliston, Medway/Bellingham, Medway/Milford, Medway/Franklin. There is a state program, with a basic application that Mr. Yorkis can prepare with the help with Susy Affleck-Childs. This is a GATRA program.

Selectman Trindade moved that the Board support the exploration of funding for the busing/transportation grant; Selectman Dunne second; No discussion; All ayes 5-0. Medway is transporting folks through GATRA to the train station already, it would be nice to transport throughout the community as well.

Mr. Yorkis was thanked for his hard work.

Shaw Street-Tom Holder

Administrator Kennedy explained the process. Up until this point there has been a smooth process. She explained the two easements that need to be taken. One was acquired by gift. The other the land owner wanted the town to speak to their attorney and wanted a monetary amount to resolve. Mr. Holder is working to get an appraisal for the easement after receiving the request from the property owner at such an astronomical price of \$50K for 3500 sq. feet. The easement isn't land being taken it's to walk on the property to add a retaining wall to protect the waters edge of the Charles River. The road

has begun to erode and a 42" sewer main runs down the middle of the road. The value of the property needs to be determined through an appraisal that is due back 12/24/09 which the town has paid a premium to obtain it faster. There is no other option other than to get the easement and it may be that the town may have to take by eminent domain. Mr. Holder understands that the resident was originally agreeable to gift and was told it will dramatically increase the value of their property. The town needs to provide some stabilization of the roadway. This will be an improvement that the owner will still own with the easement. It will be an easement by temporary domain. This will be permanent easement because the sheathing will remain there. We will need to have the legal right to maintain the anti corroding sheathing.

The town can not move forward on the project until an agreement is made and the roadway will continue to erode until this project is completed.

Chairman Espinosa asked the timeline with legal action being taken. Mr. Holder explained: if town takes through an eminent domain taking, prepared, recorded etc (approximately 3 weeks) he can then notify the contractor to mobilize, most likely the work will begin the beginning of February.

Mr. Holder believes it's prudent to start the later part of March beginning of April, although the sheathing can drive in whatever the weather, the plantings and roadway put back can't be done until mid April, so instead of the contract causing disturbance twice, schedule work later in March or April. The road is closed but open to residents, the roadway will hold and the sewer pipe will maintain until then. Selectman Foresto asked if there are any incremental costs to the town starting later. Mr Holder explained that both companies will probably enter into a no cost time extension. They have verbally, but he must get in writing. Some of the materials have already been purchased and we are prepared to pay for them now.

Selectman Dunne suggested communication with Franklin to keep them apprised of the situation. Selectman Crowley asked how quickly Mr. Holder can initiate the no cost agreement with the contractors. Mr. Holder will be working on all that over the next week. Selectman Crowley suggested he would like to give Mr. Holder until 12/28 for a no cost extension. Mr. Holder recommended to seek an agreement with the contractor and get appraisal, regardless of the start date, he believes the eminent domain taking is needed to press forward. Administrator Kennedy believes there is no way to get the eminent taking by 12/28.

Martin Dietrich, FinCom liaison asked the cost of the appraisals. Mr. Holder offered that the cost is \$4400 for both appraisals and explained he already has been given one of the easements by gift and that the fee from Town Counsel will most likely fall under her core services. Mr. Dietrich offered then that the town will be going to waste \$5-\$10K for this exercise.

Selectman Crowley offered that he wouldn't have an issue with a fair and reasonable request, but the exorbitant amount requested is what some are choking on and the

property is being improved. Some trees will be taken down. Part of the reason why the project was started was with the approval of the easements from the residents. Mr. Crowley suggested if Mr. Holder is unable to obtain a letter from the contractor by 12/28/09 then an emergency meeting of the Selectman should be held to decide how to proceed.

A Resident was present and asked that the town put a sign that says bridge is closed instead of road closed so that no trucks will go down trying to get through. The trucks have no where to turn around and can't back up the street. The cars are turning around on home owner's lawns.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Haley & Ward, Inc. not to exceed \$4900 for Water Emergency Response Plan; Selectman Crowley second; Discussion; Selectman Dunne asked if this will tie into the Water Master Plan. It was explained it will not this is just an emergency water plan. The last was in 2004 and post 9/11 it was mandated that a water emergency response plan must be updated and some required items must be added. The deadline to get this completed is 12/31/09 which was mandated by the state. All ayes 5-0.

School Committee Liaison Report-Deb Trindade

- No meeting since Dec 1st, Next meeting in January.
- Accept collaborative \$250K grant over 2 years, we will get some \$ to support science technology for special ed students (out sourced students). Another grant has been written for \$150K to try to assist with solar for the middle school. Without grant assistance for the middle school it wasn't going to be beneficial, it has been submitted.
- A crane is in place and solar panels are being placed on the HS roof, have until the end of January to get this project completed.
- Ongoing grade configuration study, large group, the plan at this point is to send out a survey on potential options on where to place students in buildings, start and end times. All options will be considered but not all people will be happy/etc.
- At the last meeting, traffic flow suggestion was presented, with Burke Memorial and different start/stop times for the two different schools. There have been issues, and a proposal has been presented to reconfigure the traffic routes and parking. This is in the preliminary stages; another temporary solution may be looked at and will continue to look at.
- Cost sharing ideas have been discussed with Millis. Assistant Superintendent, Superintendent and the Special Ed Director have discussed Special Ed and may consider maximizing resources with Millis.
- Budget subcommittee met last week to start to define priorities. Still waiting on the ARRA funds and had to allocate money for supplies that were already committed to.
- Chairman Espinosa discussed a luncheon he and Selectman Trindade attended at which special education was discussed to regionalize to build a special facility with better focus.

Selectman Crowley asked if the school committee would look into the temperatures in some of the classrooms as the temperatures aren't right. Some teachers have complained

to Selectman Crowley. Mrs. Trindade will look into and let us know, particularly because Trane is supposed to be signed off on soon.

Administrator Kennedy mentioned the ARRA 1.4 Million and unexpended funds. Mrs. Trindade explained some of the money was to be used to backfill ch70, it's all grants, and they have been tightfisted handing out.

Townwide Energy Committee

Mrs. Wieler did poll the former ESCO committee, 4 members are interested in transitioning to the Townwide Energy Committee, Paul Marble, Andy Rodenhiser, Dan Hooper and Jack Robinson.

Selectman Dunne moved that the Board create a Town Wide Energy Committee; Selectman Foresto second; Discussion: Is the intent specific to energy, or green? Administrator Kennedy explained the committee is energy focused, to fulfill the \$5000 planning assistance grant. The committee would be under the DOER microscope for the first 12 months. Selectman Foresto believes that this is the transition into the green community. Administrator Kennedy would like to fulfill the grant terms first and is planning to have the Planning Dept give a presentation. Selectman Foresto would like to know how to build awareness in the community. Selectman Crowley suggested why not let the committee put a charter together and come back to us. Administrator Kennedy explained that four others have posed an interest, and the Selectmen may want to decide on a size and who to nominate at the next meeting. Selectman Dunne offered an amendment that the Energy Committee should consist of 7 members; All ayes 5-0.

The Town Administrator's office was asked to solicit resumes from those that are interested in this committee and they will be asked to attend the 1/4/10 meeting.

Medway 300th

Selectman Foresto explained there are two years before the Medway 300th celebration. There are approximately 50 people who are interested, but no one who has signed up to run the project. Selectman Foresto is willing to call a meeting for the first part of the year and will suggest Selectman Crowley be the Chairman. This will be discussed at the next meeting.

Conservation Commission-The composition/size of the committee was discussed. Chairman Espinosa explained that the last time the Selectmen met with the commission they talked about reducing the size from 7 members to 5 because they were having a hard time coming up with a quorum. The commission would prefer to stay at 7 members. **Chairman Espinosa moved to reduce the size of the ConCom from 7 to 5 as the Medway bylaw doesn't specify a number and five have typically been attending their meetings; Selectman Dunne second; Discussion; this would be affective immediately; 4-1 Selectman Trindade was opposed.**

The five ConCom members will be asked to attend the 1/4/10 meeting, if the so choose and appointments will be discussed.

A discussion took place about creating a rule that all committee meetings are televised/taped through cable access.

Selectman Trindade moved that the Board appoint Tom Anderson (CIPC) to the Medway School Building Committee; Selectman Foresto second; No Discussion; All ayes 5-0.

The Budget FY11 Budget Calendar and Policy Statement were reviewed and discussed. Municipal Departments will be asked to submit by 2/12 and School by 2/19/10. Selectman Foresto asked if all this would be published. Chairman Espinosa explained there is no template for the impact statements, but departments will be asked to just provide their own format, maybe next year a more formal template will be recommended. Selectman Crowley clarified that impact statements will be presented with the budgets. Administrator Kennedy explained she is ready to move forward.

Warrant #25 12/24/09

Gross payroll Town \$202,490.72

Gross pay school \$760,308.22

Total #25 \$962,798.94

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne second; No discussion; All ayes 5-0.

Selectman Trindade moved that the Board approved the Minutes of 3/23/09 as amended; Selectman Dunne second; No discussion; All ayes 5-0.

Selectman Trindade moved that the Board approve the Minutes of 12/1/09 as amended; Selectman Dunne second; No discussion; All ayes 5-0.

TA report

Administrator Kennedy wanted to thank Tom Holder and the DPW staff for a job well done on a very long storm, she appreciates their hard work.

A grant for \$5000 trench shoring has been obtained for the DPW

The subject of the \$81K school bond funds remaining was discussed. A letter explaining the process was sent by the Town Accountant to the Selectmen today. Administrator Kennedy reiterated the process. Once the year elapses, you can't move money into a closed prior year. The concession was never part of the design and even if it was you can not put the money back. We would have to go to TM to take \$ from the school project and transfer it to the concession, as the concession was never part of the school bond design.

Some selectman disagreed. The project was started and stopped. The Coakley's stepped up to put a roof on.

The town finance committee met and explained the \$81K could only be used by the High School. Selectman Foresto also explained he believes there is a purchase order on Mr. Verdolino's desk to use the money to pay for wireless infrastructure at the High School.

Administrator Kennedy explained that she is not sure if Free Cash has been submitted yet but the tax rate has been certified. The same person who certifies tax rates certifies free cash. Ours was certified last week. When a free cash number is available it will be distributed to the Selectmen.

A solid waste audit was just completed. A presentation will be scheduled for the 1/19/10 meeting.

Selectmen's Reports-

Foresto-The School Committee Budget Subcommittee met last week. He briefly discussed items that were discussed at the meeting.

Trindade-Selectman Trindade, Selectman Crowley and Administrator Kennedy met with Karen Spilka's aide to begin to familiarize her with current issues in the town. Selectman Trindade and Chairman Espinosa met with Jim Vallee at the State House and discussed continuing efforts to regionalizing with the many committee members from Franklin.

Dunne-Selectman Dunne and Administrator Kennedy spent some time with the library board of trustee's chair. All agreed we are moving in the right direction. Franklin has taken over the management of maintenance and Medway really enjoys this. In Franklin they take care of the schools and the town buildings. Felicia has a plan on how to continue the regionalizing. Administrator Kennedy has heard from some colleagues about grants being offered for regionalizing of libraries that she will look into.

Crowley- The beaver damn work hasn't worked, he would like to get more info from DPS and Town Counsel's opinion and place on the 1/4/10 agenda.

He would also like the opinion from Town Counsel on licenses and fining businesses that don't take care of their responsibilities by 12/31/09. Ms. Potter offered that she has researched with Town Counsel and she can fine them \$100 per day, as these businesses don't legally have the right to operate without a license. The Town Administrator's office will contact these businesses who are outstanding and explain they will be fined.

Espinosa-nothing to report but did mention that the Board of Selectmen are a hard working body and this is evident of how much we get accomplished by looking at the agenda.

At 9:22pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position) and Exemption 6 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining

position) with no intent to return to public session. Selectman Dunne seconded; no discussion; Roll Call Vote Trindade-aye; Espinosa-aye; Crowley-aye; Foresto-aye

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 1/4/10