

**Board of Selectmen's Meeting
January 3, 2011, 6:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Glenn Trindade, Andrew Espinosa, and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

At 6:35 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 6:36 PM Selectman Trindade moved that the Board go into Executive Session for the purpose of discussing strategy with respect to litigation if an open meeting may have a detrimental effect on the Town's litigating position, and to return to public session upon adjournment; Selectman Foresto seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 4-0.

At 7:06 PM Chairman Crowley reconvened the public session.

Public Comment: There being none, Chairman Crowley took the opportunity to acknowledge the efforts of the snow removal during and after the recent storm. Selectman Foresto stated that, while he usually hears complaints on street clearing, this time he heard none.

Selectmen's Meeting Date Changed:

As the Town vote relative to the Middle School debt exclusion will be held on Tuesday, January 18, Chairman Crowley suggested the Board of Selectmen move their meeting scheduled for the same evening to the following evening, January 19. The Board agreed. He clarified that the meeting will be held at the Middle School.

Presentation – Letter of Appreciation to Town – Habitat House at 9 Walker Street:

The Board reviewed a letter of appreciation, dated November 12, 2010, from Town Administrator Suzanne Kennedy to Ms. Martine Taylor, South Short Habitat for Humanity.

Ms. Martine Taylor, Executive Director, South Shore Habitat for Humanity, and Mr. Doug Marshall, Member, Board of Directors, South Shore Habitat for Humanity, thanked the Board of Selectmen and the community of Medway at large for the gift of land in order to build an affordable housing unit. They expressed appreciation for helping those experiencing economic difficulty in locating housing within their means. Mr. Martin presented the Board a plaque memorializing the effort.

Selectman Trindade publicly acknowledged the efforts of Susy Affleck-Childs and Alison Slack for their work with the Planning and Economic Development Board in this endeavor.

Presentation – FY10 Financial Statements, Melanson & Heath:

The Board was in receipt of Town of Medway FY10 Financial Statements for year ended June 30, 2010, the Report of the Auditors, Melanson Heath & Company, P.C., dated December 10, 2010, and Management Letter from Melanson Heath & Company, P.C., dated December 10, 2010; 58 pages total.

Mr. Frank Biron stated that the financial statements present a good picture of the Town's finances. He said the auditors recommend a few areas for improvement, none serious, and noted that some recommendations have been implemented already.

Mr. Biron stated the independent auditor's report covers all financial statements, noting statements are in accordance with GAAP (Generally Accepted Accounting Principles). He reviewed the report page by page, highlighting various sections more than others, and responding to questions from the Board.

- Page 3-10 put into words what the financial statements represent.
- Pages 11-12 feature an entity-wide presentation of Town finances, using the same kind of accounting a business would follow ("cash" basis), noting Enterprise funds are on page 18. Post-employment benefits are included. He noted that municipalities with separate electrical utilities might have more cash flow.
- Page 13 depicts the balance sheet for the general fund, featuring monies for stabilization, Community Preservation Act, energy management, and a non-major category, which includes various revolving accounts, projects, school choice, etc.
- Page 30 shows a breakdown of receivables, separating them by levy year and property category (real estate, personal property, secured liens and deferred). It is recommended that the Town consider the establishment of a process of placing liens on real estate receivables, a protection in case the homeowner declares bankruptcy.
- Recommendation to pay off a deficit financing note of \$185,000, saving some interest expense.
- With regard to regular stabilization and fiscal stability, Medway is in the top ten percent of comparable communities.
- Page 15 shows that revenues decreased by \$1.7 million, and employee benefits increased by \$329,000 in primarily health insurance expenses. The Town absorbed those increases and still decreased spending.
- Page 17 focused on the general fund budget utilization, i.e., budgeted vs. actual, noting variances and exceptions. A conservative local revenue budget is a good way to build free cash. Retirement expenses are difficult to project. All communities are going through tough budgetary times, and are often unable to build workable budgets with favorable projections.
- Page 18 features enterprise funds, utilizing the full accrual basis of accounting. These funds are typically used to build funds toward future needs.
- Page 19 shows the income statement including depreciation expense, and showing line items with surplus funds. It was noted that surplus funds, including those garnered from increases in water/sewer rates, can be earmarked for potential capital projects such as capping the old landfill, new ambulances, etc.

Discussion followed on the remaining numbered pages and footnotes, enterprise funds, revolving accounts, employee benefits, trust funds, school activity funds, etc.

Noting that capital outlays exceed depreciation (page 16), Selectman Espinosa asked if that means that capital needs are not being addressed. The response was that it could be timing around a large school project. Selectman Espinosa thanked the Capital Improvement Committee for its work in addressing capital project needs. Regarding school revenues (page 15), he expressed caution that expenses need to be watched for over expenditures. The response was that transfers in and out of the accounts might affect that expense number somewhat.

The Table of Contents of the Management Letter was summarized for viewers, including follow-ups on recommendations made in previous audits. These recommendations include audits of school activity funds and centralization of payments at Town Hall. Discussion followed.

The Board thanked Mr. Biron for his time.

Appointment – Capital Improvement Planning Committee:

The Board was in receipt of a resume from Mr. Peter Sigrist, 38 Ellis Street, Medway, in application for appointment to the Capital Improvement Planning Committee.

Tom Anderson, Capital Improvement Planning Committee, stated there is presently an opening on this committee. He stated Peter Sigrist, expressed interest in the position, and reminded the Board of his resume submitted in application. Mr. Sigrist introduced himself to the Board and briefly recounted his residency of nine years and varied experience as an accountant/controller.

Selectman Trindade moved that the Board appoint Mr. Peter Sigrist to the Capital Improvement Planning Committee; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Reappointment – Affordable Housing Trust:

The Board was in receipt of a letter, dated December 28, 2010, from Ralph W. Caton, 4 Kingson Lane, Unit 5, Medway, in application for reappointment to the Affordable Housing Trust.

Mr. Caton stated he has been serving on the Affordable Housing Committee and Affordable Housing Trust for over 5 years, a resident for 35 years, and wants to continue to help people stay in town via affordable housing.

Selectman Trindade moved that the Board reappoint Ralph W. Caton to the Affordable Housing Trust; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Appointment – Affordable Housing Trust:

The Board was in receipt of a letter and resume, dated October 15, 2010, from Charlie Mascari, 5 Island Road, Medway, in application for formal appointment to the Affordable Housing Trust.

As Mr. Mascari was unable to attend tonight's meeting, Chairman Crowley asked that this appointment be postponed. The Board agreed.

Privatization of Municipal Services:

Tom Holder, Director, Department of Public Services, reminded the Board of his interest in outsourcing activities, such as fleet maintenance, including snow blowers and small equipment. He stated he would like to engage Weston and Sampson to investigate the Town facility, staffing, training, maintenance functions, etc. to have a full understanding of the level of service that can be provided to the Town, as well as room for improvement, and effectiveness in cost and practicality of outsourcing. The majority of the outsourcing would involve preventative maintenance, actual repairs, parts supply, etc.

Responding to a question from Chairman Crowley, Mr. Holder stated the study would take approximately 80 hours to complete at an expense of around \$8,000. He stated further some of the funds for this study are available in the department's operating budget and surplus funds from a feasibility study. Weston and Sampson has agreed to absorb some of the cost as a good will gesture toward future projects with the Town. Discussion followed.

The Board wondered what new information could be gained from the study. Mr. Holder responded the study may show that things should stay as they are (his preference), and would validate the prevailing opinion. Town Administrator Suzanne Kennedy opined the study memorializes the effort to allay concerns and questions about the cost of performing services in house rather than outsourcing them. Mr. Holder stated the investigation would consist of an analysis of the entire department, its functions and services, including computerization and other areas of improvement, from which recommendations will be made in addition to the cost analysis with regard to outsourcing. Discussion followed.

Selectman Trindade expressed concern about preparedness with regard to vehicle maintenance, suggesting a maintenance infrastructure that would handle all maintenance. He indicated he checked with a local company regarding their practice, and learned they discovered outsourcing saved money and effort in the long run.

Chairman Crowley stated the Board does not need to vote on the matter this evening as it will later vote on the actual contract. On behalf of the Board, he asked that a document reflecting scope of work be made available to review at the Selectmen's meeting on January 19. Selectman Trindade asked for it ahead of time as he will be absent from the January 19 meeting.

Discussion on Special Municipal Employee Designation:

Ms. Kennedy reported there has been another request for review of this process, and asked for Town Counsel's input. Ms. Kennedy related that an individual has resigned from a committee, and is now seeking to have a particular board/commission be named a special municipal employee in order to work with other boards and commissions without conflict of interest.

Barbara Saint André, Town Counsel, stated the Board of Selectmen can make such a designation for a position, but not an individual, and clarified the designation applies only to part-time positions, not full-time positions. She stated the designation allows more latitude in action, and without the designation, each person must represent their own board first before acting on the interests of others. She noted the designation is especially helpful when handling contracts. She offered to supply the Board with a list

of boards designated in 2002, and the Board could add or delete groups after review. Ms. Saint Andre noted that boards and commissions created since 2002 have not been added to the list.

Selectman Foresto stated the Energy Commission as an example: the members are engineers, yet cannot work with the Planning and Economic Development Board to represent another entity, but this designation would allow them to do so.

Chairman Crowley asked that this matter be placed on the agenda for the February 7 Selectmen's meeting to allow time to review entire list. Selectman Trindade asked that the list include supporting documentation as to state statute so that the Board is up-to-date on regulations.

Presentation – Other Post-Employment Benefits Report, Segal Company:

The Board was in receipt of a report entitled "Actuarial Valuation and Review of Other Postemployment Benefits as of June 30, 2009" from The Segal Group, Inc., dated November 22, 2010, 31 pages total.

Daniel J. Rhodes, ASA, MAAA, Consulting Actuary, stated the report presents the results of actuarial valuation of the Town's postemployment welfare benefit plan as of June 30, 2009, utilizing a "snapshot" of employees, i.e., birth dates, gender, length of service thus far, as well as those already retired, demographic considerations, cost of health care now and in the future, etc. He noted there is significant difference between health insurance premiums and actual costs, differing based on age and gender.

Mr. Rhodes went through the report, section by section, explaining the gist of each, and responding to questions from the Board. He stated the unfunded liability is acknowledging the past time served (worked by employee). He compared the ARC (Annual Required Contribution) and its 30-year amortization period to that of a home mortgage – by putting money into the program, the fund begins to grow in order to support the retirement benefits. In 30 years, the unfunded liability is paid off. Discussion followed. Mr. Rhodes stated several communities are bonding as a way to get started in the program, and noted that Brookline and Wellesley are already in the program.

Ms. Kennedy proposed establishment of a Trust at this point in time, as it may be some time before the Town would be able to fund it. Mr. Rhodes stated the bond rating agencies look upon the establishment of the Trust favorably as it indicates intent. He acknowledged municipalities are in a tough spot now, noting this is a way to get a better handle on how to fund post-employment benefits going forward. Discussion followed.

Mr. Rhodes reported the remainder of the report was supplemental information, and encouraged the Board to contact him if there were any additional questions. Ms. Kennedy stated the Town is required by law to contract for this report every two years, presently at a cost of \$5,000 to \$6,000.

Approval of Minutes:

Regarding the minutes of October 21, 2010, Chairman Crowley offered one correction, specifically, page 2, line 10, to read "operational reserve" instead of "operations". There were no other corrections.

Selectman Trindade moved the Board accept the regular meeting minutes of October 21, 2010, as amended; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the regular meeting minutes of October 25, 2010, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the regular meeting minutes of October 29, 2010, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Action Items from previous meeting:

The Board asked that items on the list be numbered to streamline discussion.

No update on items 1—5/18/2010, 2 – 6/7/2010, 4 – 9/7/2010, and 5 – 9/20/2010.

Regarding Action Item 3—7/6/2010 – Joint workshop with PEDB. This item should be eliminated as the meeting was held. Ms. Kennedy prefers to keep it on the list as she is waiting for the results. Selectman Espinosa opined the onus is on the Town to set up a process to track compliance on factors determining street acceptance. Ms. Kennedy opined it might require Town Meeting action. She indicated she would meet with Suzy Affleck-Childs to begin formulating a process.

School Committee Report – School Committee Liaison: No report.

Approval of Warrants:

Warrant 11-27, dated 1-6-11

11-27P	Gross – Payroll Town	206,937.85
11-27SP	Gross – Payroll School	755,091.59
TOTAL	\$962,029.44	

Selectman Trindade moved the Board approve Warrant #11-27 dated 1-6-2011 in the amount of \$964,029.44 as read by Selectman Foresto; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Town Administrator's Report:

Ms. Kennedy reiterated Chairman Crowley's comments on splendid snow plowing during storm.

Ms. Kennedy stated the position of Deputy Assessor has been filled, and that Mr. Scott Morrison started in this capacity today. She stated he has substantial experience working with other municipalities, and further that she anticipates a savings of \$25,000 by not having to hire consultants to do the work he will be handling.

The Town of Medway has been officially designated a "green" community. Ms. Kennedy has met with staff to identify projects suitable for funding. She noted the Energy Committee has submitted

recommendations, including three “big belly” solid waste compactors which would increase the ability to collect five times the amount of waste. These solar-powered receptacles could be located at the Middle School and two others as yet undetermined places.

Operations Manager Karen Kisty has developed a hyperlink policy. Ms. Kennedy reported that staff has completed a review, and now she would like Town Counsel, the IT Director and one or two selectmen to also review it. Selectmen Foresto and Trindade agreed to help in this matter.

The Town has received a grant of \$33,000 from the Department of Environmental Protection to help fund leaf collection and water conservation.

Selectmen Reports:

Selectman Foresto – Wondered about the status of the grant on historic preservation. The application was filed about six weeks ago, and no word has been received yet.

Selectman Trindade – Expressed concern about an old well on the Thayer property. There is still a gap, and it should be fully enclosed/covered. On another topic, he stated concern about an email from David D’Amico to the schools about budgeting an increase in costs for water, and questioned its purpose when future rates are unknown. Chairman Crowley replied that the rates are set by the Water and Sewer Commission, and that possibly the increase was suggested as an estimate to help in budget forecasting.

Selectman Espinosa -- Commended the Medway Police Department and its quick mobilization of units to apprehend criminal in burglary spree. Chairman Crowley commented that the Reverse 911 notification helped alert residents that their help and attention is critical. Selectman Foresto advised residents to make sure their cell phone numbers are registered within the Reverse 911 system if they have no land line.

Chairman Crowley – Encouraged residents to get out and vote in Special Election on January 18. He also reminded Board of the round table breakfast meeting on the 19th, an open meeting on issues communities are facing.

At 9:31 PM, Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
October 17, 2011, 6:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Vice Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley and Town Administrator Suzanne Kennedy. Selectman Trindade arrived at 7:05 PM. Chairman Richard Dunne was absent.

Also Present: Barbara Saint Andre, Town Counsel; Will Naser, Principal Assessor; Melanie Phillips, Treasurer-Collector; Susy Affleck-Childs, Planning and Economic Development Coordinator; Tom Holder, Director, Department of Public Services; Police Chief Allen Tingley; Fire Chief Paul Trufant.; Andy Rodenhiser, Chairman, Planning and Economic Development Board; Martin Dietrich, Chairman, Finance Committee; Missy Dzikczek, Director, Council on Aging.

At 6:38 PM Vice Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Executive Session:

At 6:40 PM Selectman Crowley moved that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Exemption 6): Oak Grove, and to return to public session immediately following executive session; Selectman Espinosa seconded. Roll call vote – 3-0: Vice Chairman Foresto, aye; Selectman Espinosa, aye; Selectman Crowley, aye.

At 7:21 PM Vice Chairman Foresto reconvened the public session.

Public Comments: None.

Discussion – After Hurricane Irene: Action Report:

The Board reviewed a report, dated October 4, 2011, prepared by Compass.

Present: Gerry Lewis, Compass; Allen Tingley, Police Chief; Paul Trufant, Fire Chief.

Town Administrator Suzanne Kennedy introduced Mr. Gerald Lewis to the Board, providing a brief review of his qualifications and previous work for the Town in workshops on sexual harassment. Mr. Lewis recently conducted interviews with various staff regarding their response to Hurricane Irene. Ms. Kennedy stated she and Mr. Lewis attended a disaster planning workshop last week. A national effort is underway to combine business and public sectors toward effective preparedness.

Mr. Lewis gave a brief synopsis of his report, noting that it was not about any particular area, but rather an unexpected combination of factors, like a “perfect storm”. He met with key people, and also researched how other communities responded to Irene. What does a town like Medway have to do to be better prepared? Mr. Lewis stated that Medway did very well, and the Town can use this evaluation to work toward a more comprehensive response in the coming years.

Vice Chairman Foresto thanked the chiefs and Mr. Tom Holder, Director, Department of Public Services, for their departments’ response throughout town. We can also learn from experience, and find out how we can improve going forward.

Selectman Crowley asked that a copy of the report be forwarded to the Capital Improvements Planning Committee as some suggested changes involved both schools and the Town. He asked how other communities handle the “who’s in charge” issue. Mr. Lewis responded that in some communities, it’s the mayor or town manager, while others designate the chief of police or fire chief. Ms. Kennedy stated the Town staff knows that in Medway the police chief is the emergency manager. Mr. Lewis agreed that it is usually police or fire, generally because they are responsible for rescue, recover, fire, etc. He advised that an Emergency Operations Center (EOC) be set up for future needs, and this would be the done by the police chief in consultation with the Town Administrator. He noted that only 32 municipalities of 154 opened up an emergency center. This should be a place that is always set up and ready to roll. That will be in the police department. Does it have to be open 24 hours or in pieces? Not necessarily, but it is nice to have periodic updates or reports given out to the public. However, if you are housing people in emergency shelters on a 24-hour basis, the EOC needs to be up and running around the clock.

Selectman Crowley asked who has the responsibility for determining the schools will be open for class. Mr. Lewis stated that it is usually the emergency manager who determines it because of safety of the students and staff, and the schools would follow that decision. It’s difficult to decide if kids should stay home in cold homes (winter) without supervision, or open school so that kids are somewhere safe and warm.

Selectman Trindade suggested that the person in charge should be the Town Administrator. In the case of Hurricane Irene, she called a meeting in advance of the storm to begin preparations. He noted that a Reverse 911 call making announcement of impending storm, and this could be used for advanced instructions and notifications. He stated further that he thought the report was good, and it can be used for educational purposes. Vice Chairman Foresto stated he would like to get a feel for how much people really want to be informed with these kinds of calls, or if they consider them more of a nuisance.

Ms. Kennedy stated that, through the generosity of the schools, the Town has expanded their List Serve by combining with the schools and should start using social networking as well. Mr. Lewis encouraged the Town to use newspapers, Facebook, websites, BlackBoard communications as ways to get important messages out to the residents.

Selectman Espinosa stated the report was great, noting it addressed a lot of things that were issues. Speaking as a resident, he said he didn’t feel like we were organized enough. He stated he saw people driving through or around barriers, kids walking around downed lines, pizza deliveries running as usual,

all of which was pretty dangerous while being confusing. He was frustrated that he couldn't find anyone to tell him what was going on. It could have been a situation worse than a storm. Mr. Lewis stated there was a lot of lead time before this storm, noting that it could have been something sudden like a hazardous materials spill, with no warning.

Ms. Kennedy stated that the generators not working did create a problem, as well as a fire in the police department, and web server going down. We learned a lot from this.

Vice Chairman Foresto stated he would like to see the "playbook" and thought there should be To Do lists for each day before a storm, especially when we have lengthy advance notice. We need to make sure who the contacts are, and that their contact information is correct. He suggested an open communications bridge. Mr. Lewis responded that text messaging on cell phones and two-way radio systems usually last longer. Vice Chairman Foresto asked if the Town has a list of the special needs, such as nursing homes. Police Chief Tingley responded that they did.

Selectman Trindade suggested this might be a good task for the new outreach worker from the Council on Aging, identifying folks living alone who otherwise have no support system. Missy Dzikczek, Director, Council on Aging, stated such identification is done on a continual basis, but it is a good suggestion.

Approval – Fall Town Meeting Warrant Article Recommendations:

The Board reviewed a Draft Town of Medway Warrant for November 14, 2011 Fall Town Meeting.

Article 1 – Property Purchase: Town Administrator Kennedy stated this article will be removed from the Warrant.

Article 2 – Purchase Ambulance: Ms. Kennedy stated she worked with the EMT coordinator and the Finance Director to get quotes from vendors, securing three quotes. Selectman Trindade explained to viewers about the Ambulance Enterprise Account. Vice Chairman Foresto noted the Capital Improvement Planning Committee was also consulted. Responding to a question from Selectman Crowley, Ms. Kennedy stated the Town hopes to sell the old ambulance back in some way. Ms. Phillips stated the cost of the new ambulance reflects trade-in value, and the purchase price will be bonded. Discussion followed. **Selectman Trindade moved the Board accept Article 2 as read; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.**

Article 3 – School Dept. Lease: Solar Power: Ms. Kennedy provided a brief explanation, noting that the article is a duplicate of an article approved at the 2009 Annual Town Meeting with minor changes referring to school programs. She stated the leasing documents have been reviewed by Town Counsel. Selectman Crowley stated he would like to have the specific schools identified. **Selectman Trindade moved the Board accept Article 3 as read with the caveat that the specific schools be identified; Selectman Espinosa seconded. Martin Dietrich suggested a time limit on performance. Ms. Kennedy noted the developer will be motivated by the tax savings. All ayes 4-0.** It was noted Broadway Electric is submitting this proposal. Mr. Dietrich commented that the School Committee indicated the cost of

the engineering study was not included in the grant. Ms. Kennedy stated she will investigate and report back to the Board.

Article 4 – Amendment to Council on Aging Revolving Fund: Missy Dziczek, Director, Council on Aging, stated the amount is usually \$81,000 and the difference is the federal funding. This is merely a housekeeping measure, and there is no funding impact on the Town. **Selectman Trindade moved the Board accept Article 4 as read; Selectman Crowley second. No discussion. All ayes, 4-0.**

Article 5 – Rescind borrowing: Council on Aging Building: Ms. Kennedy stated the unused \$25,000 cannot be used for anything other than construction. Brief discussion followed. **Selectman Trindade moved the Board accept Article 5 as read; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.**

Article 6 – Rescind borrowing: ESCO Project: Ms. Phillips recommended this action. Selectman Trindade clarified for viewers that the borrowing capacity exists, and by rescinding this one, the capacity for other borrowing increases. **Selectman Trindade moved the Board accept Article 6 as read; Selectman Espinosa seconded. No discussion. All ayes. 4-0.**

Article 7 – Re-purpose funds: Fire Station Roof and Town Hall Renovation: Ms. Kennedy provided a brief explanation, noting the renovation within Town Hall includes half-walls to create offices for the IT Director and Housing Coordinator, as well as painting and molding and a new Selectmen desk in Sanford Hall. Whole walls would require renovation of the HVAC systems. Ms. Phillips pointed out that the money has to be spent for a similar purpose for which it was borrowed. Discussion followed. **Selectman Trindade moved the Board accept Article 7 as read; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.**

Article 8 – Re-purpose funds: Snow Guard Rails at Police Station: This action is a direct result of damage sustained during a storm in January 2010. It was noted that it must be used for a building maintenance item. Selectman Crowley asked if this amount will cover the cost. Police Chief Tingley stated it is not, but the remaining funds will come out of the Police Department budget. **Selectman Trindade moved the Board accept Article 8 as read; Selectman Espinosa seconded. No discussion. All ayes, 4-0.**

Articles 9, 10, 11 & 12 refer to settlement of municipal contract. **Selectman Trindade moved the Board accept Articles 9, 10, 11 and 12 as read; Selectman Espinosa seconded. No discussion. All ayes, 4-0.**

Article 13 – Transfer: Police Outside Detail Account: Ms. Kennedy stated the Town Accountant determined the need to write off unpaid police detail expenses going back as far as 1995. By being able to pay the full invoice for insurance, the Town realized a savings. Ms. Phillips stated a combination of letters and phone calls was implemented to get payments in from people who contracted for details. **Selectman Trindade moved the Board accept Article 13 as read; Selectman Crowley seconded. No discussion. All ayes, 4-0.**

Article 14 –Prior Year Unpaid Bills: No discussion. **Selectman Trindade moved the Board accept Article 14 as read; Selectman Espinosa seconded. No discussion. All ayes, 4-0.**

Article 15 – Operational Reserve Transfer: Hurricane Irene: Ms. Kennedy stated this article was recommended as placeholder as a result of Tropical Storm Irene. The Town incurred almost \$96,500 in expenses, for which there is a guaranteed a 75% reimbursement in salary and equipment costs. She noted that because some of the debris removal occurred outside the window of declaration, it is possible that \$25,000 will not be reimbursed. She anticipates hearing an outcome no later than January 31. Selectman Crowley suggested this article be postponed until Annual Town Meeting when the exact amount will be known. Ms. Kennedy stated her initial concern was for the Fire Dept. expenses. **After discussion, the Board agreed to remove Article 15 from the Warrant.**

Article 16 – Approve Settlement(s): Sewer Ext. Project Claims: **Selectman Trindade moved the Board accept Article 16 as read including the amount of \$27,500; Selectman Crowley seconded. All ayes, 4-0.**

Article 17 – Establishment of OPEB Trust Fund: **Selectman Trindade moved the Board accept Article 17 as read; Selectman Crowley seconded. No discussion. All ayes, 4-0.**

Article 18 – Amend By-Law: Alcoholic Beverages: Ms. Kennedy stated the article now includes the addition of other locations, i.e., public library, senior center and 50 Winthrop Street. **Selectman Trindade moved the Board accept Article 18 as read; Selectman Crowley seconded. Brief discussion on insurance liability followed. All ayes, 4-0.**

Article 19 – Street Acceptance: Susy Affleck-Childs, Coordinator, Planning and Economic Development, stated this article is a follow-up to the Board's vote to lay out the street. It was noted that no article would be necessary if the Board accepts land as a gift of open space. **Selectman Trindade moved the Board accept Article 19 as read; Selectman Espinosa seconded. All ayes, 4-0.**

Selectman Trindade moved that the Board approve and close the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Approval – Inter-Fund Borrowing: Treasurer-Collector:

The Board reviewed a form entitled "Advance of Funds in Lieu of Borrowing Debt" prepared for execution on October 18, 2011.

Present: Melanie Phillips, Finance Director and Treasurer-Collector.

Ms. Phillips stated the School Department is looking for \$20,000 for water valves, and the Department of Public Services is in need of a water utility truck, totaling \$85,000. As this is a relatively small amount, she would prefer to inter-fund borrow until next year.

Selectman Trindade moved that the Board approve the inter-fund borrowing in the amount of \$65,000 related to Water Truck and \$20,000 related to School Water Valves as prepared by the Finance Director; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Approval – Elder Affairs Grant Contract – Council on Aging:

The Board reviewed the following information: (1) Contract between Commonwealth of Massachusetts and the Town of Medway in the amount of \$12,519.00; and (2) Memorandum, dated October 12, 2011, from the Council on Aging Director.

Present: Missy Dziczek, Director, Council on Aging.

Ms. Dziczek reported the amount as an increase, amended due to census reporting. She stated she would like to use the funds for a part time outreach worker to conduct surveys and other tasks.

Selectman Trindade moved that the Board authorize the Chair to execute a contract in the amount of \$12,519.00 which provides for a revision to the grant previously approved and received from the Executive Office of Elder Affairs; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Approval – Intent to Layout Iarussi Way as a Public Way:

The Board reviewed the following information: (1) Memorandum, dated October 4, 2011, from the Chairman of the Planning & Economic Development Board; and (2) Evergreen Meadow Subdivision Plan of Land Street Acceptance, revised August 1, 2011, prepared by GLM Engineering Consultants, Inc.

Ms. Susy Affleck-Childs, Coordinator, Planning and Economic Development, reminded the Board that in September this year it voted its intent to begin to lay out streets. Subsequently, the Planning and Economic Development Board voted unanimously to lay out Iarussi Way as a street. Responding to a question from Selectman Crowley, she explained that “laying out” is an action the Board of Selectmen takes to express intent, which is later accepted at Town Meeting. There is then a period of 120 days during which the developer must finalize all remaining details to complete work on the street.

Selectman Trindade asked if the parcel for open space has been clearly deeded. Ms. Affleck-Childs stated it has and will be considered in a separate article.

Selectman Trindade moved that the Board vote to accept the layout of Iarussi Way in its entirety as shown on the Plan of Land Street Acceptance “Iarussi Way” dated July 8, 2011, last revised August 1, 2011, prepared by GLM Engineering Consultants, Inc; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Approval – Acceptance of 23.71 Acre Parcel Associated with Iarussi Way Development:

The Board reviewed the following information: (1) Memorandum, dated October 7, 2011, from Susy Affleck-Childs, Planning & Economic Development Coordinator; and (2) Evergreen Meadow Open Space Parcel Plan dated September 26, 2011 prepared by Medway Planning & Economic Development Office.

Ms. Susy Affleck-Childs, Coordinator, Planning and Economic Development, explained that the 23-acre portion around the edge of the development was designated as open space as part of the initial decision in 2006. It is now time to officially accept the land as open space. She noted the Planning and Economic Development Board met with the Conservation Commission last week. Discussion followed. It was noted that the Conservation Commission has to attest that conservation laws are followed before any development can happen, such as developing an athletic field.

Responding to a question from Selectman Espinosa, Ms. Affleck-Childs stated this is the first open space residential development where homes are clustered near an open space area. In a traditional development, there would have been additional road costs on the part of the developer.

Martin Dietrich, Chairman, Finance Committee, asked who is now responsible for that land as far as safety and maintenance. Ms. Kennedy responded that responsibility will now fall to the Town. Selectman Trindade remarked it would fall under the Town's general liability policy. Ms. Affleck-Childs stated there is a small parking lot, and a trail has been developed. She stated she has talked to the Department of Public Services, letting them know that there will be more of these kind of developments.

Selectman Espinosa asked who decided that a trail should be put in. Ms. Affleck-Childs responded the developer paid for the trail. The Board questioned this process and wondered if the Town should be part of the initial decision to install a trail and bridge. Mr. Dietrich stated he is in favor of open space, but we have to consider that the Town is taking on the burden and costs of maintaining that open space and its accoutrements. Ms. Kennedy suggested the Planning and Economic Development Board could notify the Board of Selectmen when similar things are being proposed. Selectman Trindade suggested the trail and bridge could always be closed if there are no funds to take care of it.

Selectman Trindade moved that the Board vote to accept the donation of the 23.71 acres of open space surrounding 15 single family home lots at the Evergreen Meadow Subdivision (Iarussi Way) from developer Taniel Bedrosian/SENEK LLC; Selectman Espinosa seconded. No discussion. All ayes, 3-1. Selectman Crowley, oppose.

Selectman Trindade asked the Town Administrator to ask Town Counsel clarify issue of Conservation Commission involvement in these types of matters.

Discussion – Thayer House Development Plan:

The Board reviewed the following information: (1) The Thayer Homestead Development Committee – Recommendation to the Board of Selectmen dated October 17, 2011; (2) The Thayer Homestead

Development Committee – Recommendation to the Board of Selectmen dated October 25, 2010; and (3) The Thayer Homestead Development Concept Recommendation dated October 14, 2011.

Present: Dan Hooper and Matt Buckley, Thayer Development Committee.

Vice Chairman Foresto stated the Board received three documents, one which will be presented now.

Mr. Hooper stated the committee has been working on this for the past 16 months, and a year ago presented a recommendation to the Board. He briefly reviewed the acquisition of the property and other groups that have been instrumental in the process thus far. He went through a PowerPoint presentation, beginning with the following goals:

- Preserve the property's historic character
- Preserve the scenic vistas to and from Choate Park
- Preserve the open space aspect of the yard
- Design for compatibility with existing buildings and functionality for community use
- Design to create a self-sustainable model for continued upkeep and expenses

Mr. Hooper stated it is also important to have the property occupied by a caretaker to prevent vandalism. He noted that all new aspects will be ADA compliant.

Selectman Espinosa asked if the stage and amphitheater were part of Phase 1. Mr. Hooper stated he did not see it as a permanent structure, more likely a movable rental for those few occasions that might require it.

Regarding the barn, Mr. Hooper stated it has been made structurally sound due to work on the foundation, but it could use some "weather tightening" which could possibly be accomplished through the donation of volunteer time from another entity in Town. The house is on town sewer and also connected to natural gas.

Vice Chairman Foresto asked how they plan to create a self-sustaining aspect of the property. Mr. Hooper stated they researched surrounding towns for similar properties and how that revenue sustains the property. These venues are typically managed by a Board of Selectmen, Historical Commission or Historical Society. He listed various event costs and popular sites booked 2-3 years in advance, remarking that the market for such properties exists. The advantage of the Thayer House will be that it is air conditioned, and has the full use of the catering kitchen. Mr. Hooper briefly reviewed the revenue tables and how potential revenues and expenses were determined. He stated removal of the fireplace in the center room would create more space, clarifying that the fireplace was built in the 1950s and has no historical value.

Mr. Hooper continued, stating that the source of funds are those secured by the Community Preservation Act (CPA), and the design must meet the criteria for use of those funds. Selectman Crowley expressed concern about the numbers, noting that the revenues seem high, and asked to meet with Vice Chairman Foresto to review how they were determined. He clarified he wants to make sure that maintenance of the property will not come from the Town's general fund. Mr. Hooper stated that two

people who make their living as caterers were at most of their meetings. They noted that weddings are downsized in a tight economy, and indicated this is the kind of facility they like.

Responding to a question from Selectman Crowley regarding administration, Mr. Hooper stated an advisory committee will be in charge. Selectman Espinosa asked about the operational plan and whether a caretaker will really be able to do this. Selectman Crowley remarked that some properties he's researched are run by a trust, which then reports to the Town.

Mr. Hooper advised that any monies captured as profits have to go back to the Community Preservation Act funds. It would require Town Meeting action to establish a mechanism to collect revenue. Town Administrator Kennedy will get clarification about whether expenses are covered out of those profits before money is funneled back into the Community Preservation Act funds.

Selectman Trindade moved the Board reopen the Fall Town Meeting Warrant; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board add a warrant article as follows: "To see if the Town will vote to appropriate a sum of money (\$250,000) from the Community Preservation Fund Account for the purpose of retaining the services of both a schematic design firm and professional project oversight for the Thayer Development concept prepared by Davis Square and Associates to the Town-owned Thayer property at 2B Oak Street and authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into contract with professionals to perform said work, or take any other action relative thereto"; Selectman Espinosa seconded. Discussion followed on when Board will make its recommendation, funding options, etc. Split Vote: 3-0-1 – Selectman Crowley abstained as he is not comfortable with report on revenue and expenses until further information is provided.

Selectman Trindade moved the Board close the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Discussion – Town Seal – Design Review Committee:

The Board reviewed the following information: (1) Memorandum dated October 4, 2011 from Matthew Buckley, Chair, Design Review Committee; and (2) Email from Town Counsel dated July 13, 2011. The Design Review Committee is comprised of the following individuals, some of whom were present: Matthew Buckley, Chair; Julie Fallon, Vice Chair; Mary Weafer, Recording Secretary; Karyl Spiller-Walsh, Planning and Economic Development Board representative; Rachel Walsh, Corresponding Secretary; and Dan Hooper, Associate Member.

Present: Matthew Buckley, Chair, Design Review Committee; Fire Chief Paul Trufant.

Mr. Matt Buckley stated the Design Review Committee is comprised of design professionals who believe the logo could be updated. Signs at the "gateways" into Medway need to be replaced so an updated

design is suggested. They hope an update will improve the perception of Medway as well. He noted that the present logo is fine when viewed close up, but the details are lost when driving by. He likened it to a “brand” that represents what Medway is or stands for.

Mr. Dan Hooper stated the last update for the logo occurred at the 200th anniversary so another update tied to the upcoming anniversary would be timely.

Selectman Crowley asked the committee to provide a budget on how much this might cost, as it involves signs, letterheads, and all sorts of things that will have to be changed. Mr. Hooper suggested making those changes as current inventory is depleted, spreading the costs over a longer period of time. Paul Trufant, Fire Chief, reminded the committee and Board that this would also mean the design on fire engines and uniform patches would all have to be changed. Vice Chairman Foresto suggested a comprehensive plan to determine all necessary action.

Ms. Kennedy stated that a change in the logo or Town Seal will require Town Meeting action. It was suggested to target this for 2012 Annual Town Meeting.

Vice Chairman Foresto encouraged everyone to attend the mixer sponsored by the Medway 300 Committee Tuesday night at the VFW.

Vice Chairman Foresto asked Ms. Kennedy to give the Board a general idea of the amount of rebranding that would have to occur throughout Town. He cautioned that the seal can only be used in ways designated by statute.

The Board gave its support to the project, and asked the committee to give periodic reports.

Discussion – Board of Assessors, Affordable Housing Committee vacancies:

Ms. Kennedy announced that a member of Board of Assessors wants to resign, but has agreed to remain on that Board until the vacancy is filled. She asked the Selectmen to think about people with the appropriate expertise who might be willing to serve.

Action Items from Previous Meeting:

There were no updates on Action Items.

School Committee Report from School Committee Liaison:

Diane Borgatti stated the School Committee is making the best use of all dollars made available to them. Other ways of cost savings might include returning students who are presently in home-based programs. They are also working on the realignment of budget following newly-received revenues, though the final

figures are not yet known. She stated she anticipates getting the report in time for their regular meeting scheduled for November 4. Her understanding is that a joint meeting of the School Committee and Board of Selectmen may not occur until sometime in December.

Selectmen Trindade clarified for viewers what information the Board of Selectmen is seeking, namely the source of new funds that come into the school budget since the budget was voted at Annual Town Meeting. He noted that circuit breaker funds from the state and school choice reimbursements are the big ones. Discussion followed. Realistic circuit breaker numbers for FY12 should be available on November 4.

Ms. Borgatti stated the schools are trying to be very “green”, and noted that 51% of electrical power capacity should come from solar panels placed on the roof.

Selectman Trindade suggested the work at the middle school be documented, like “before” and “after” photos and things like that. He acknowledged that while everyone is interested in the final result, later on someone will want to know what came before.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant 12-16, dated 10/20/11, submitted for approval:

12-16	Town Bills	\$1,100,007.59
TOTAL		\$1,100,007.59

Selectman Trindade moved the Board approve Warrant 12-16 in the amount of \$1,100,007.59; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Town Administrator’s Report:

Ms. Kennedy stated she was informed by the Medway Police Department that the Alcoholic Beverages Control Commission conducted an exercise in Medway with great success. All establishments visited were actively checking IDs of patrons ordering alcoholic beverages.

Ms. Kennedy stated an email sent earlier to the Board of Selectmen from State Representative Dykema indicated that the State Department of Utilities to review Hurricane Irene preparedness and response by the utilities. A meeting will be held on National Grid’s response on Tuesday, November 1, at the Trottier Middle School in Southborough, and a similar one to review NStar will be held on November 16 in the Walsh Middle School Auditorium in Framingham. Ms. Kennedy stated she will try to attend those.

Ms. Kennedy stated she will bring the proposed five-year forecast to the next Board of Selectmen meeting.

Ms. Kennedy stated she recently learned of a proposal to build a solar farm in Bellingham, and proponents are soliciting municipal interest in the purchase of the solar energy generated. She has been invited to a meeting and will report back to the Board. This is a 20-year project, and the Town of Bellingham anticipates a savings of \$70,000 per year.

Selectmen's Reports:

Selectmen Trindade stated he is the Board's liaison to the Planning and Economic Development Board, and it has three warrant articles outside of the road acceptance article. While the current policy for Fall Town Meeting is to consider only financial articles, these feature very minor zoning changes in areas that were reclassified. For example, the current zoning law does not cover the ability of homeowner to build additional structure, such as in-law apartment. It also does not allow for home-based businesses. A third one involved property that is currently zoned residential, yet it is commercially owned by a utility company. It now needs classification as commercial so it can generate revenue.

Ms. Kennedy reminded the Board that Chairman Dunne specified Fall Town Meeting would only consider financial matters. She added that she referred the matter to Town Counsel who indicated there was nothing in the articles that could not wait for Annual Town Meeting in the spring, where there would also be a larger attendance.

Vice Chairman Foresto noted the proposed are not emergencies and he would prefer to put them off until the spring.

Approval of Minutes:

The Board reviewed draft minutes of public sessions held on May 16, 2011; June 6, 2011; June 13, 2011; June 16, 2011; June 20, 2011; July 8, 2011; July 18, 2011; and August 15, 2011.

Selectman Trindade moved the Board accept the public session minutes of May 16, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of June 6, 2011, as amended; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of June 13, 2011, as drafted; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of June 16, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of June 20, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of July 8, 2011, as drafted; Selectman Espinosa seconded. No discussion. Split vote: 3-0-1; Crowley abstained as he was not at the meeting.

Selectman Trindade moved the Board accept the public session minutes of July 18, 2011, as amended; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of August 15, 2011, as drafted; Selectman Crowley seconded. No discussion. All ayes, 4-0.

At 10:32 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
October 26, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Members of the Board of Selectmen – Dennis Crowley, Andy Espinosa, John Foresto, and Glenn Trindade. As three (3) or more members of the Board planned to gather in the same place, a meeting of the Board of Selectmen was scheduled and posted for this time, in accordance with the Open Meeting Law, M.G.L. chapter 30A sections 18-25. The meeting, however, was chaired by the Finance Committee.

Also Present: Finance Committee: Chairman Martin Dietrich, Vice Chairman Jeff O'Neill; Members: Christine Devine, Kevin Dickie, Neil Kennedy, Chris Lagan, Tony Pacholec, Frank Rossi and Jim Sheehan.

Also Present: Town Administrator Suzanne Kennedy; Melanie Phillips, Finance Director; Missy Dcizcek, Director, Council on Aging; Allen Tingley, Police Chief; Paul Trufant, Fire Chief; Susy Affleck-Childs, Planning and Economic Development Coordinator; Sue Ellis, Human Resources Director; Dan Hooper, Chairman, Thayer Development Committee; Deborah Trindade, School Committee.

With a quorum present, Chairman Dietrich called the meeting to order at 7:07pm. He announced that the purpose of this meeting was predominantly to review the Fall Town Meeting Warrant. The Finance Committee will officially vote on the Warrant at its Public Hearing scheduled for November 2, 2011.

Chairman Dietrich asked if there were any public comment. There were none.

Warrant Review – Fall Town Meeting:

In deference to the Police and Fire Chiefs, Chairman Dietrich suggested the Committee address the articles affecting those departments first.

Article 2 – Purchase Ambulance: Brief discussion on arranging the financing via bond. It was noted that the quoted price includes a trade-in allowance for the old ambulance.

Article 7 – Re-purpose funds: Fire Station Roof and Switch, Town Hall Renovations: Ms. Phillips clarified that the original money has to be used for a purpose similar to that of its original intent. Given the tight economy, the Town was able to secure an excellent bid on the work. It was noted that the Capital Improvements Planning Committee was consulted; it had no issues with the re-purposing of the funds.

Ms. Kennedy briefly explained the Town Hall renovations, which include construction of two half-walls in Sanford Hall to create office space for a new Housing Coordinator and the IT Director including some reconfiguration of the adjoining equipment room for the copier, all at a cost of \$8,300. Sanford Hall will also be painted and re-carpeted, wainscoting trim added, as well as a new desk for the selectmen (and other groups who use Sanford Hall). She emphasized that she is seeking a desk that will comfortably seat 10 people while allowing use of laptop computers and power outlets for those computers. Quotes for such a desk are \$12,000 and over. Ultimately, she wants the room to be attractive and represent the

Town of Medway as well as other communities she has visited. She estimated that the hall had not been redecorated or renovated in 25 years.

Article 8 – Re-purpose funds: Snow Guard Rails at Police Station: No questions.

Article 13 – Transfer: Police Outside Detail Account: Ms. Phillips reported that policies and procedures were put in place two years ago and collections have dramatically improved since then. She clarified that many of the outstanding issues are from the 1990s.

Article 14 – Prior Year Unpaid Bills: Ms. Phillips stated the Fire Department has an outstanding bill at a hardware store.

Chairman Dietrich thanked Chief Tingley and Chief Trufant for being present.

As the Director of the Council on Aging was present, Chairman Dietrich asked the committee to consider Article 4 – Amendment to Council on Aging Revolving Account. Ms. Dcizcek stated this is an increase over their annual assessment of \$81,000. A brief explanation was provided outlining that the state issues an assessment which is paid by the state to provide busses for senior citizen transportation, donations are accepted from riders, and then reimbursement occurs. The Senior Center cannot incur expense/usage over the assessment or the difference will come out of Town funds. It is a use-it-or-lose-it situation. Basically, the Senior Center's allotment is increased.

At this time, the Finance Committee began reviewing the remaining Articles on the Warrant, in sequence.

Article 1 – CPA Transfer: Thayer Property: Chairman Dietrich briefly explained that the previous Article 1 was removed from the Warrant, and this is a new Article 1.

Selectman Foresto stated that the dollar amount has been reduced to \$150,000 from \$250,000. The original \$250,000 estimate was developed by the Thayer Committee based on 10-12% of total anticipated costs. After that was determined, the committee consulted with the architecture and engineering firm who reduced the figure.

Mr. Hooper provided a brief explanation of the project. Chairman Dietrich asked how the expenses will be paid, as there was some question about that. Selectman Foresto stated they received a ruling from Town Counsel that any monies left after expenses are paid go back to the general fund, not back into the Community Preservation Act Account. An estimate of \$7,000 will be required to maintain electricity and other basic services.

Selectman Foresto stated a caretaker will be hopefully living on the site, and that person will receive a percentage of the revenues, which will serve as incentive to keep the property looking good. Responding to a question from Mr. O'Neill, Selectman Foresto stated that the Board of Selectmen is ultimately responsible for the property.

Mr. Hooper stated that revenues generated by use of the property will go to maintaining the site. Selectman Foresto stated that, in other communities with similar properties, the Board of Selectmen or Historical Society is the supervising entity.

Mr. Pacholec asked what kind of events the group believes will use the property. Selectman Foresto listed weddings as well as anniversary and graduation celebrations, as examples. These sites are typically marketed on websites connected with the Historical Societies, and sometimes a separate firm will showcase a number of these sites. Mr. Hooper stated he sees the site as a mix of Holliston Farm and the Sherborn Inn.

Mr. Lagan expressed concern about the projected revenues and expenses, believing them to be unrealistic. Discussion followed. Selectman Foresto stated fifteen sites were contacted for information, with extensive interviews with three of them. The Thayer group used the expense structure associated with the Medway Public Library to help determine approximate expenses, and employed the low end of the revenue model.

Selectman Trindade stated that local caterers, two of whom worked with the committee, are very excited about this opportunity, indicating this was a nice size for weddings. This should not necessarily be considered a money-making enterprise, but to create enough revenue to cover expenses. Selectman Trindade stated that his individual perspective is that it should be a community center with handicapped access. Events such as Touch-a-Truck, holiday happenings, and things such as the recent Air Force Band Concert could all take place there. Medway does not have a Town Common, and the Thayer property could replace that.

Mr. Sheehan asked if this Article represents the last big expense for this property. Selectman Foresto stated they believe that to be true, though he acknowledged the barn may need some work in the future. It is presently usable as a barn, for storage, but not much else. This is an opportunity for residents to see the Community Preservation Act monies be used in a way with which they can identify. It was noted that Town received 40% match in funds from the state.

Selectman Crowley stated he would like to be sure no expenses come out of general funds in a negative revenue stream. He plans to meet with Selectman Foresto to examine the revenue and expenses model more closely.

Mr. Hooper stated there is also potential for educational opportunities as well as senior center activities that might be too large to take place at the Senior Center.

Selectman Foresto pointed out that the redesign of Route 109 will also open up the access to Choate Park, which in turn will impact the Thayer property.

Mr. O'Neill expressed concern that the property cannot be maintained for \$21,900. He estimated the costs associated with the Department of Public Services alone at \$50,000-\$60,000, representing salaries and equipment.

There was brief discussion on insurance liability. It was noted that, as the property is Town-owned, it will be covered under the Town's umbrella policy. Responding to a question regarding the possible use of liquor on the property, Ms. Kennedy stated anyone wishing to serve alcoholic beverages at their event at the property will have to take out a liquor permit, which ultimately the Board of Selectmen approve. In order to secure the permit, evidence of insurance is required, and the permit itself declares that the Town cannot be held liable.

Chairman Dietrich asked about the work on the Community Farm house on Winthrop Street. Selectman Crowley stated they relied on students from Tri-County Vocational School to do the work, but other projects kept putting it off. Eventually a company was hired to repair the roof before winter.

Mr. Lagan reiterated his lack of confidence in the numbers. He stated there are already a number of “dilapidated” properties already owned by the Town, and nothing is happening with any of them. He stated he did not want to see this turn into a sink hole. Selectman Trindade commented that the work on the barn was to make it historically accurate, and the workmen used materials and tools that would have been used in that period of time. He stated that working toward having events at the property will help to stabilize it.

Mr. Hooper stated that, aside from the barn, the property will be completely renovated. Associated costs reflect prevailing wages from contractors.

Selectman Crowley stated that he is often approached by residents who want to know what is happening with their 3% CPA taxes. This way people will be able to see something concrete. There is nowhere in town to have gatherings.

In summary, Selectman Foresto stated there will be a brief presentation for residents at Fall Town Meeting. Mr. Hooper stated the Chairman of the Community Preservation Committee recommended this as a first step. Selectman Crowley stated the \$2.1 million price tag may seem high, but he believes more accurate figured will be secured as time goes by.

Article 3 – School Dept. Lease: Solar Power: Specific locations are now listed. Responding to a question from Ms. Devine, Ms. Kennedy stated any agreement the School Committee creates with a vendor or supplier will be reviewed by Town Counsel. She explained that this article is a duplicate of the one enacted in 2009 for the high school.

Mr. O’Neill expressed concern for the words “grounds” being included and would like to delete that reference to tighten the language. Selectman Crowley stated the Board of Selectmen may opt to do so.

Ms. Trindade stated the electricity rate will be negotiated – the vendor will get receive tax credits. Those tax credits are due to expire at the end of this calendar year, which is why this action is being requested at this time. The schools will no longer have to pay a delivery charge for electricity as the panels will be on the roof. There is no cost to the Town. In the event that the School Department determines that the panels are not working out, the panels will be taken away.

Ms. Devine reiterated her question, wondering who signs off on the contract. Ms. Trindade stated a Request for Proposal (RFP) is issued, but Broadway Electric has been working strenuously with the schools to get this in place and she anticipates they will bid appropriately. Typically the School Committee contracts with the vendor, then the contract goes to Town Counsel for review, and then the Board of Selectmen receives it.

Ms. Kennedy stated that this work falls within the jurisdiction of the School Committee, who will execute the lease, which will be reviewed by Town Counsel for legalities. Because the schools are located on Town-owned land, ultimately the Board of Selectmen has to have the final say.

It was reiterated that there is no cost to the Town.

Chairman Dietrich asked how much the engineering study would cost. It will be performed by the vendor whose proposal is accepted by the RFP. Broadway Electric looked at these schools when they did the proposal for the high school, so they will have an advantage.

Ms. Trindade noted that another school was initially considered, but could not be used due to excessive shade from nearby trees.

Articles 9, 10, 11, and 12 are related to union negotiations. Chairman Dietrich asked what happens if they are not approved at Fall Town Meeting. Ms. Ellis stated the Board of Selectmen ratified the agreement, but if it fails on November 14, they will have to go back to negotiations. Salary increases will not take place. Exact dollar amounts for the Articles will be known before Fall Town Meeting. Either the Moderator or the Board of Selectmen will speak on the Articles.

Article 15 – Approve Settlement(s): Sewer Ext. Project Claims: No questions.

Article 16 – Establishment of OPEB Trust Fund: This simply establishes the fund so that it is in place when the Town needs it. Ms. Kennedy stated this action will improve the Town's bond rating.

Article 17 – Amend By-Law: Alcoholic Beverages: It was mentioned that the Senior Center had some concerns. Selectman Trindade admitted the Board should have contacted them beforehand, and pointed out that anyone applying for a liquor license for an event comes under the scrutiny of the Police Department and other entities before the permit is voted by the Board of Selectmen. If the Council on Aging doesn't want a particular event to take place at the Senior Center, it can refuse. Ultimately, the idea of the Article is not to create a beer hall, but merely to add the location as a possible venue at which alcohol might be served.

Mr. O'Neill asked why marijuana was included. Ms. Kennedy clarified that the verbiage is part of the state statute regarding alcohol and other substances.

Article 18 – Street Acceptance: Ms. Affleck-Childs stated this Article pertains only to the street acceptance. The associated open space in the subdivision is covered in a separate Article. This Article refers to general maintenance of the property. Responding to a question on maintenance, Selectman Crowley stated the bridge is narrow and approximately 25 feet long. Selectman Trindade added that the bridge is over a dry bed that sees water only four months of the year. Ms. Kennedy stated that upkeep on the trail translates to approximately ten minutes with a weed whacker.

At this time the Finance Committee concluded its review of the Warrant. Chairman Dietrich asked the Town Administrator to forward a copy of the updated Warrant when it is ready.

Chairman Dietrich asked Mr. Lagan for a Clerk's report at the next meeting as he has been absent from the September and October meetings. He asked the other members to circulate their liaison reports as necessary.

Upcoming Dates:

The Finance Committee's Public Hearing for Fall Town Meeting will be held Wednesday, November 2, 2011, at 7:00 PM in Sanford Hall in Town Hall.

Next meeting:

The next regular meeting of the Finance Committee will be held Wednesday, November 9, 2011 at 7:00 PM, in Sanford Hall in Town Hall.

At 8:35 PM Mr. O'Neill moved to adjourn; Mr. Pacholec seconded. No discussion. Vote: 9-0-0.

At 8:40 Vice Chairman Foresto reconvened the Board of Selectmen meeting.

Selectman Trindade moved the Board reopen the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Selectman Crowley moved the words "on grounds" be deleted from Article 3 – School Dept. Lease: Solar Power; there was no second. Brief discussion on whether this deletion could potentially hinder installation of necessary equipment. Motion was withdrawn.

Selectman Trindade moved to change the dollar amount in Article 1 – CPA Transfer: Thayer Property be changed from \$250,000 to \$150,000; Vice Chairman Foresto seconded. Selectman Espinosa asked why there was such a significant decrease. Vice Chairman Foresto responded that he approached the architecture and engineering firm who lowered the price. He stated further the Thayer group will submit an application for a matching grant from the Massachusetts Historical Commission. All ayes, 4-0.

Vice Chairman Foresto moved the Board close the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Regarding the recent election to a seat on the Metropolitan Planning Office, Selectman Crowley announced that Medway's representative won the election by a narrow vote.

Town Administrator Kennedy announced that a joint meeting of the Finance Committee, Board of Selectmen and the School Committee has been scheduled for November 15. The purpose of the meeting will be to review the realigned Schools Budget. Ms. Kennedy will request both electronic and hard copies of the budget be sent to all parties so they can review it prior to the meeting.

It was noted that a proposed meeting date to discuss town-wide facilities management and emergency response still need to be determined.

At 8:50 PM, Selectman Trindade moved to adjourn; Vice Chairman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
October 3, 2011, 6:45 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Richard Dunne, Selectman John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, and Town Administrator Suzanne Kennedy. Selectman Crowley arrived at 7:35 PM.

Also Present: Barbara Saint André, Town Counsel; Will Naser, Principal Assessor; Susy Affleck-Childs, Director, Planning and Economic Development; Tom Holder, Director, Department of Public Services; Police Chief Allen Tingley; Fire Chief Paul Trufant.

At 6:45 PM Chairman Dunne called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments: None.

Executive Session:

At 6:46 PM Selectman Trindade that the Board go into Executive Session to discuss strategy with respect to litigation where a public session may have a detrimental effect on the town's litigating position (Exemption 3) and to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Exemption 6): Granite Estates, and to return to public session immediately following executive session; Selectman Espinosa seconded. Roll call vote – 4-0: Selectman Trindade, aye; Selectman Espinosa, aye; Selectman Foresto, aye; Chairman Dunne, aye.

At 7:15 PM Chairman Dunne reconvened the public session.

Deed Acceptances – Granite Estates:

The Board reviewed deed acceptance documents prepared by Town Counsel for Parcels A & B.

Ms. Barbara Saint André briefly reviewed deeds for Parcels A and B in the subdivision known as Granite Estates. She stated Parcel A could be used for general purposes, while Parcel B is involved with roadway and drainage easements. She stated further this action is pursuant to Town Meeting vote.

Responding to a question from Selectman Espinosa, Ms. Saint André stated the easements involve drainage and other issues, and will be worked on toward completion.

Selectman Foresto moved the Board accept the deed acceptances as presented; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.

Approval – Zoning Board of Appeals Appointment – Arlene Doherty:

Selectman Trindade moved that the Board appoint Arlene Doherty to the Zoning Board of Appeals as a full member for a one-year term, effective upon the date of her resignation as the night board secretary to the Zoning Board of Appeals; Selectman Foresto seconded. It was noted the one-year term allowed for staggering of appointments to the Zoning Board of Appeals. All ayes, 4-0.

Review Mass Energy Insight Database Data re: Trane ESCO Project – Energy Committee:

The Board was in receipt of a document, dated September 28, 2011, entitled “Town of Medway, Green Community 5-Year Plan Status, 03 October 2011, Energy Use and Costs”.

The Energy Committee is comprised of the following members, some of whom were present: Frank Faist, Chair; Jeff Herman; Charles Myers; Shelly Wieler, Vice-Chair; Jack Robinson; Beth McDonald; Peter Cooper; and David Brownell.

Mr. Frank Faist briefly reviewed the 5-year plan with a PowerPoint presentation. He stated the committee wanted to also establish a way to track use and savings over time. He reviewed repairs and renovations that will help save energy, the cost of many that may be covered by a grant. Cost savings came from contract negotiations, solar panels, and overall energy reduction.

Mr. Faist asked the Board if this is the kind of information it wants to see. He would like feedback on working with the Town and schools. As data can be interpreted different ways, the committee is available for questions. He acknowledged he has concerns over Middle School repairs after reviewing a report today. The Town needs to consider the relationship with TRANE so that concerns are addressed as repairs are accomplished. Additionally, with respect to the grant application, the committee cannot apply for more “green community” grants until the tasks outlined for the original \$158,000 grant have been accomplished.

Selectman Espinosa asked how much savings TRANE is responsible for. Is it a savings from a usage standpoint? Mr. Faist stated the solar panels alone are contributing a \$20,000 difference. TRANE is contributing a lot but can do more based on what they have indicated they can do.

Selectman Foresto stated the focus should be on usage, not on costs, and asked about reports. Mr. Faist stated the report from TRANE is supposed to be coming out this week.

Selectman Crowley stated he had more questions than answers and suggested holding another meeting to more fully look at the issue. Mr. Faist stated the next committee meeting is on the 19th.

Chairman Dunne thanked the committee for its hard work.

Report/Discussion – Town Wide Facility Management Study:

The Board was in receipt of a Draft document, dated September 22, 2011, entitled "Town Wide Facility Management Study, The Report of the Town Wide Facility Management Study Committee".

The Town Wide Facility Management Study Committee is comprised of the following members, some of whom were present: Robert Parrella, Chairman; Bob Ferrari, Secretary; Jeff Devolder; Tom Gay; Pete Manning; Larry Muench; and Jack Robinson.

Mr. Robert Parrella updated the Board on the committee's work. He stated the members did a lot of work, utilizing a great cross section of talent among their combined expertise. The committee met over thirty times and interviewed 12-15 departments within Town government. He stated everyone within the Town is working extremely hard to make things work; however, there are shortcomings. There is sometime no clear line of whose responsibility it is to do things when it comes to facilities management, and some things were left undone.

Mr. Parrella stated the budget for facilities management is often not used for that purpose, and funds are often "borrowed" for other things. This could be considered a lack of planning. The Town of Natick is engaged in a similar project.

Most departments want to focus on what they do best and not on facilities maintenance. The schools like the idea of being able to concentrate on education. Everyone is doing some kind of maintenance, sometimes with the best of intentions, but not the best performance. Shortfalls are sometimes due to limited resources and small staff.

The committee recommends first the establishment of a Facilities Management Board, then hiring a Director with at least ten years experience in facilities maintenance. A centralized authority is the way to streamline and supervise what needs to be done, utilizing a 5- or 6-year plan to accomplish tasks.

Chairman Dunne asked about the list of recommendations found on page 8 of the report. Mr. Parrella clarified that bids are being solicited by individual departments or offices, sometimes for things that ought not to be done at that particular time. Bids for work should come out of one office, including budgeting and expenses. He stressed the importance of developing two-way communications so that people know they are being heard and no one's project is slighted. If money is not available to hire someone in this capacity, it needs to be appropriated to get it established.

Selectman Trindade asked for a breakdown of school expenses regarding maintenance. Mr. Parrella shared a story of Hanlon Football Field agreement, found no formal agreement existed, yet some of the money has been used for other projects other than the football field. All income from the facilities should go toward facilities maintenance, and the facility board should have responsibility. Brief discussion followed on assessing space needs at schools, and what happens when unused space occurs due to declining enrollments.

Chairman Dunne asked if the report could go on the website when it comes out of draft status. Mr. Parrella stated the committee's work is done for now but it remains available if additional work is requested. Chairman Dunne stated the Board of Selectmen needs more time to discuss the report as well as meet with maintenance staff.

Mr. Parrella stated \$113 million is invested in facilities in town, and the Town needs to develop a culture of maintenance. People are slowly beginning to see things being maintained, new roads, etc. and the director's first job would be to determine just where things are maintenance-wise.

Selectman Forest stated he agrees with one department/focus concept and that 3-5% of total capital budget should be earmarked for maintenance. He posed the following question: If we don't have the money to make repairs, do we have the money to set up a department? How do we make it happen? Mr. Parrella responded that residents didn't like the charter change, but overall it's the best thing that happened to Medway.

Chairman Dunne thanked Mr. Parrella and the committee for its hard work, noting the tremendous investment of time from a volunteer group. He asked why a facilities board was proposed, possibly due to distrust between groups. Mr. Parrella elaborated on the makeup of a facilities board for the benefit of residents. As the Capital Improvements Planning Committee (CIPC) is already looking at maintenance and capital issues, the creation of a supervisory board seemed logical, including representatives from the schools. Discussion followed. The Board expressed interest in a workshop specifically to look at this matter, and Selectman Trindade suggested the School Committee and Finance Committee be invited.

Selectman Espinosa asked Mr. Parrella to name the other committee members. They are: Robert Parrella, Chairman; Bob Ferrari, Secretary; Jeff Devolder, Tom Gay, Pete Manning, Larry Muench, and Jack Robinson.

Report – Thayer Property Development Committee Update:

The Board was in receipt of a report entitled "The Thayer Homestead- Development Concept Recommendation – Presented by Thayer Development Committee to the Medway Board of Selectmen, October 3, 2011", submitted at meeting.

Present: Dan Hooper, Chair; and Mark Wilcox; Thayer Development Committee.

Mr. Hooper briefly reviewed the recommendation distributed to the Board of Selectmen. He acknowledged that the Board has not had an opportunity to review the report, and stated he is willing to come back another time for additional questions and review.

There was a brief discussion of utilizing funds generated by the Community Preservation Act (CPA). It was emphasized that no additional funds are expected from residents via tax increases. Mr. Hooper confirmed that two members of Community Preservation Committee (CPC) serve on the Thayer Development Committee. Selectman Crowley encouraged the committee to get its information together for the November Fall Town Meeting to present a solid recommendation to residents.

Mr. Hooper stated the mission of the committee was to provide a recommendation to the Board of Selectmen, who would ultimately be the sponsor of the project. Additional meetings will be needed to bring the Board up to speed with all necessary information. He clarified that this recommendation does not include a complete listing of expenses.

Selectman Espinosa summarized in this way: You have basically prepared a prospectus of sorts, a plan for how the property can be used in a self-sustaining manner, and ask for a Town Meeting vote to authorize the funds to come from CPC/CPA. The development of the property will happen with funds the Town already has. Selectman Crowley commented that residents will want to see architectural drawings and other design components to get an idea of what the redeveloped property will look like. Discussion followed.

Selectman Trindade stated the proposal needs the addition of a vision. This is a beautiful piece of property with the potential to provide what Medway does not have, namely, a central place for us as a community to gather for any celebration. Other communities have a town common for such things. Now we have the opportunity to create one. Selectman Trindade volunteered to work with the Thayer group to develop a PowerPoint presentation.

Selectman Foresto advised caution, noting that what we need to emphasize that there will be no impact on residents in the future. The Community Preservation Committee can authorize funds for the initial capital investment, but will the property truly be self-sustaining?

Selectman Foresto added that this recommendation needs to be a warrant article, first reviewed by Community Preservation Committee, who advised them to address operations and maintenance. It also needs to go to the Finance Committee for its recommendation.

Mr. Hooper stated they can create more visuals and include additional budget information, adding that the Board deserves more time to read and absorb all the information. He asked the Board to let him know what specifics it needs, and the recommendation will be expanded. Given that the next CPC meeting is tomorrow, he will ask to be placed on the agenda for another CPC meeting.

Selectman Espinosa stated the CPC has a very important role in this, and the Board needs to hear their views. Selectman Trindade countered by stating the Board needs to communicate to the CPC whether it is in favor of the recommendation to develop the property. Are we committed to the concept? Selectman Trindade offered to attend the CPC meeting.

Selectman Trindade moved that the Board fully support the direction being set forth by the Thayer House Development Committee to create a town meeting and function area at the Thayer House located at 2B Oak Street to be funded entirely by Community Preservation Act funds with no additional taxes levied on the residents of the Town of Medway; Selectman Crowley seconded. No discussion. All ayes, 5-0.

Discussion/Approval – State-wide Public Safety and DPS Mutual Aid:

The Board reviewed various documents on Mutual Aid Laws, including two letters from the Executive Office of Public Safety and Security, Commonwealth of Massachusetts, dated January 21, 2011, and August 17, 2011, respectively.

Present: Tom Holder, Director, Department of Public Services; Allen Tingley, Chief of Police; and Paul Trufant, Fire Chief.

Town Administrator Suzanne Kennedy briefly updated the Board on changes in statutes. She asked Mr. Holder, Police Chief Tingley and Fire Chief Trufant to attend tonight's meeting to speak to the changes and answer any questions, noting there are three different pieces to the legislation.

Chief Tingley stated that approximately 100 communities have signed on. The legislation provides assistance for communications, public works, building inspection, search and rescue, and other areas involved with public safety, especially planning for large-scale catastrophes that might occur. Preparedness helps spread personnel where the need is, especially if need is large and immediate. It is an opt-out program; if it doesn't work for us, we can opt out. They believe it to be a win-win situation.

Mr. Holder stated the assistance can also be enacted on a day-to-day basis, when it is not necessarily on an emergency basis. For example, it would be helpful to get necessary equipment on a short-term basis. With member communities, that quick help can often be obtained with a handshake. Chairman Dunne suggested this could be considered a baby step toward regionalization of certain services.

Chief Trufant stated the fire department could not go to Springfield to help after the tornado because there were things happening in Medway. That is the concept – help out if and when you can.

Selectman Espinosa asked if there is any liability if Medway is unable to provide assistance to other communities. Mr. Holder responded no liability exists. All groups (police, fire, DPS) are in favor of this. Responding to a question from Selectman Crowley about costs, Ms. Kennedy stated some costs will be borne by the Town. Mr. Holder stated that conversely the Town will reap benefits when we need the help. It was noted that in the future there may be some mechanisms to get reimbursement of costs.

Selectman Trindade moved that the Board adopt M.G.L. c 40, section 4J, the statewide public safety mutual aid law, M.G.L. c. 40, section 4K, the public works municipal mutual aid law, and M.G.L. c. 48, section 59A, the fire mutual aid law, as recommended by the Town Administrator; Selectman Espinosa seconded. No discussion. All ayes – 5-0.

Discussion/Approval – Proposed Bylaw Amendment – Article XII, Section 12.13, Prohibition of Alcohol on Public Property:

The Board reviewed two versions of proposed language changes to Article XII, section 12.13, Prohibition of Alcohol on Public Property, dated August 15, 2011 and October 3, 2011, respectively.

Ms. Kennedy stated that, based on the Board's concerns about boundaries of the property on which the alcohol could be served, a map has been created to identify those boundaries. She added that the warrant article can be amended to include more specific boundary information.

For the benefit of viewers, Selectman Trindade Glenn summarized the matter, specifying event usage, event planners acquiring a permit for their event, then coming before the Board to obtain one-day permit to serve alcohol. At this time, he suggested expanding the warrant article to include other locations such as the community farm, library and senior center. Discussion followed.

Selectman Trindade moved that the Board instruct the Town Administrator to amend Warrant Article XII, section 12.13, to include the Medway Public Library, Medway Senior Center and the Town-owned property at 50 Winthrop Street; Selectman Crowley seconded. No discussion. All ayes, 5-0.

Action Items from Previous Meeting:

Route 109 – Selectman Espinosa stated the committee made its presentation to the Metropolitan Planning Office (MPO) asking to be put on TIP or long range plan, thereby gaining access to \$400,000. Without the funds, the project would have stalled. Due to good representation by elected officials, the project did get put on the TIP, allowing the project to move forward quicker than anticipated. The 25% design has been presented to the state. The 25% needs to be presented to the Town via public hearing, sometime in the February-March timeframe. The additional \$400,000 (earmarked two years ago by Representative Jim McGovern) allows completion of the design. The contract will be forthcoming from the MPO. Discussion followed.

American Legion Building – Selectman Trindade apologized for not connecting with Mr. Wahl and promised to do.

Brief discussion followed on various matters that could be placed on the Action Items list.

School Committee Report from School Committee Liaison:

There was no report.

Approval of Warrants:

Selectman Dennis Crowley, Clerk, read aloud Warrant 12-14, dated 10/6/11, submitted for approval:

12-14	Town Bills	\$1,317,614.93
	TOTAL	\$1,317,614.93

Selectman Trindade moved to accept Warrant 12-14 in the amount of \$1,317,614.93; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Town Administrator's Report:

Ms. Kennedy stated the costs associated with Hurricane Irene totaled \$91,000, and while the Town is eligible for FEMA reimbursement of some of that cost, it is not clear how much. She suggested reimbursement could be at 75%. The cost to the fire department alone was \$33,000, which will have a significant impact on their budget, even with an expected 75% reimbursement rate. She stated the fire department may approach the Board of Selectmen with a proposal to transfer money from the operational reserve. She stated she will have more information for the Selectmen meeting on the 17th.

Ms. Kennedy stated she has hired a trainer who has prepared a report on Hurricane Irene, interviewing various Town staff, which will later be reviewed by staff. Once she has the report in final form, she will distribute it to Board. She stated that the trainer referred to it as a “perfect storm” to test our emergency preparedness, noting that Medway could do better on public communications, going beyond BlackBoard communications. The duration of the tropical storm, coupled with downed wires, really tested our abilities. Ms. Kennedy stated he has drawn up a series of recommendations, some of which are not inexpensive. Generators, for example, caused a breakdown in communications. Both chiefs had tested the generators a couple of days before the storm, yet they still failed. She stated she would like to put together a workshop to meet with the trainer to discuss performance and planning, and will also set up meeting with an emergency director.

Selectman Trindade wondered if we can get an idea of how other communities fared in a similar evaluation. What was their level of emergency preparedness?

Selectmen’s Reports:

Selectman Trindade stated he met with several new business owners, talking with them about their experiences. He suggested the Board invite some to discuss those experiences and get feedback. Medway wants to be a town that is business-friendly. He suggested the Town Administrator set something up for a January timeframe, perhaps a workshop format.

Selectman Espinosa provided his report earlier during discussion of Action Items.

Selectman Foresto announced that the Medway 300 Committee will be hosting a mixer at the VFW on October 18. The committee will present a program to attendees, and event chairpersons will be there to meet with residents and encourage volunteers. Selectman Crowley added there is a great need for volunteers to help the chairpersons in all the functions, probably 100-200 people to help out.

Selectman Foresto declared it to be a great opportunity to get together.

Selectman Crowley asked for information on circuit breaker funds from the schools in August. Ms. Kennedy stated she has updated information from MUNIS which she will send to him.

Chairman’s Update:

Chairman Dunne stated that he will soon be working out of the New York office of his company on a temporary basis, requiring him to be in New York on Monday mornings and absent from Board of Selectman meetings. He stated he will also be away for Fall Town Meeting, the MPO election and other times when he would be representing the Board of Selectmen as Chairman. He emphasized that he will be able to attend some meetings, but feels that he should resign as Chairman.

Discussion followed on what process to follow for this, resignation and Vice Chairman step into Chairman’s role, followed by a vote to reorganize, or if resignation was necessary at all. Selectman Trindade stated that as long as Chairman Dunne’s legal residence is in Medway, he does not have to resign. Selectman Espinosa suggested setting up a mechanism to keep Chairman Dunne connected on

issues, such as use of electronic signatures, and the ability to conference in on meetings. It is important that residents know he is still engaged in community happenings and Selectmen business, even if he cannot attend all meetings.

Regarding the MPO, Selectman Trindade explained for residents that MPO stands for Metropolitan Planning Organization, and Chairman Dunne's name is on the ballot for a seat. Ms. Kennedy will investigate whether a change can be made at this juncture as the ballots may already be printed. Maybe a replacement candidate can be identified. Discussion followed.

Approval of Minutes:

The Board reviewed draft minutes of public sessions held on May 16, 2011, June 6, 2011, June 13, 2011, and June 20, 2011.

Due to Chairman Dunne's impending relocation to New York, he asked that all outstanding minutes be considered on October 17.

**At 9:45PM Selectman Crowley moved to adjourn; Selectman Trindade seconded. No discussion.
All ayes – 5-0.**

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
October 31, 2011, 12:30 PM
Town Administrator's Conference Room, Town Hall
155 Village Street
DRAFT**

Present: Vice Chairman John Foresto, Selectman Dennis Crowley, Selectman Glenn Trindade, and Town Administrator Suzanne Kennedy.

At 12:33 PM, Vice Chairman Foresto called the meeting to order, and the Board recited the Pledge of Allegiance.

Opening of 2011 Fall Town Meeting Warrant:

The Board was in receipt of a revised proposed 2011 Fall Town Meeting Warrant.

Vice Chairman Foresto asked if there was a motion to reopen the warrant.

Selectman Trindade moved that the Board reopen the 2011 Fall Town Meeting Warrant for further discussion; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Discussion - Article #12/Transfer from Ambulance Enterprise Account to Fund Municipal Union Contract Settlement:

Discussion followed with respect to late addition of Article 12.

Selectman Trindade moved that the Board approve the addition of Article #12 on the Fall Town Meeting Warrant; Selectmen Crowley seconded. No discussion. All ayes, 3-0.

Selectman Crowley asked when a definitive figure associated with Article 12 would be included in the language of the Article. Selectmen Foresto responded that a range might suffice until such time as a specific figure is determined.

Closing of 2011 Fall Town Meeting Warrant:

Selectman Trindade moved that the Board close the 2011 Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Discussion – Appointment of Mark Wilcox to the Medway 300 Executive Committee:

Selectman Foresto inquired as to whether or not Robert Parrella had submitted his letter of resignation from the Medway 300 Executive Committee. Karen Kisty confirmed that he had.

Selectman Trindade moved that the Board approve the appointment of Mark Wilcox to the Medway 300 Executive Committee; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Town Administrator Update on Recent Snowstorm:

Town Administrator Kennedy reported that, although the Town had fared fairly well during the prior weekend's snowstorm and subsequent power outages, this situation pointed once more to one major weakness in the Town's preparedness and response – that of emergency generator power. She reported that a consultant will be assessing current generators and making recommendations as to upgrades or new additions. Among the notable storm damage was a minor transformer explosion on Vernon, closure of Lovering Street by Wilson Farm and power outage at the Plaza.

Selectman Trindade inquired about storm communication process in light of Selectman Espinosa's past concerns relative to the hurricane to which Town Administrator Kennedy replied that all essential personnel had been in constant communication with one another prior to and during the snowstorm. Town Administrator Kennedy reported that another issue which will be addressed is the use of the School Department's list serve for contact information which can be used to augment that already input into the Town's Blackboard notification system. School Resource Officer Grimes had suggested this integration.

Selectman Foresto asked where the generator servicing Town Hall is located to which Town Administrator Kennedy responded that it is housed at Station One. Selectmen Foresto reported that this particular generator must be equipped with an automatic switch to generator power upon sensing a power problem. In addition, all generators should be forwarding updates to DPS Director Holder as to operating status and conditions so that problems can be noted and addressed immediately. Selectman Trindade approved of the Town Administrator's plan for evaluation of all existing generators and receipt of recommendations for future upgrades, replacements or additions. Karen Kisty mentioned proposal to install a new generator at the Senior Center as this location has been used by those seniors and other residents without power. Selectman Foresto indicated the need for an all encompassing report as opposed to reviewing the generator in a piece meal fashion.

Town Administrator Update on Casino Issues:

Town Administrator Kennedy reported that she has attended several meetings related to proposed casino development with selectmen from the towns of Hopkinton, Holliston, and Ashland and believes it would be valuable for a Medway Board member to begin attending these meetings. She nominated Selectman Trindade to fill this slot and indicated meetings are held approximately once/month. In addition, Kennedy stated that Todd Cestari, Board Chair in Holliston, is in the process of drafting a letter for all to sign. Selectman Foresto inquired as to whether or not the Senate or House versions of casino proposals might be incorporated into Cestari's letter; House proposal contains language for neighboring towns to have a vote on mitigation measures while Senate proposal contains provision for revenues raised to be used to support the Commonwealth's 70% match of CPA funds.

At approximately 12:53 PM, Selectman Trindade made the motion to adjourn; seconded by Selectman Crowley. No discussion. All ayes, 3-0.

Board of Selectmen's Meeting
November 14, 2011, 6:30 PM
Medway High School, Room 111-A
88 Summer Street

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: Barbara Saint Andre, Town Counsel.

At 6:40 PM Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Discussion – Fall Town Meeting Warrant Articles:

Article 3: School Dept. Lease: Solar Power -- Concern was expressed that, without a time limit on the start of the installation, the authorization would be open-ended. Selectman Trindade commented that, if tax credits are available if construction begins before the end of the calendar year, the project will most likely go forward in some fashion. It was noted that the Finance Committee shared some concern regarding a time limit. Town Administrator Kennedy stated that Town Counsel was meeting with the Finance Committee right now. Discussion followed.

Chairman Foresto summarized that this was the only article still under contention. Ms. Saint André joined the meeting to report that the Finance Committee was writing a motion for it. As the Board of Selectmen has already recommended this article, no further action from the Board was necessary.

At 6:47 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Meeting

November 15, 2011, 7:00 AM

Town Administrator's Conference Room, Town Hall

155 Village Street

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectmen Richard Dunne was absent.

Also Present: Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant.

At 7:06 AM Vice Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Discussion – Revenue Model:

The Board reviewed the following information: (1) A document entitled "Town of Medway – General Fund: Finance Team Budget Projections FY13-FY17;" (2) A document entitled "Town of Medway – General Fund: Finance Team Budget Projections FY12-FY17: Revenue Assumptions;" and (3) A document entitled "Town of Medway – General Fund: Finance Team Budget Projections FY12-FY17: Expenditure Assumptions."

Town Administrator Kennedy briefly explained this revenue model holds many costs level. She noted the Town pays \$18 million in fixed costs, most of which is used by the School Department. This is also a very equitable way of allocating revenue, and incremental revenue is allocated to schools at a 70% distribution rate.

A document entitled "*Town of Medway, Budget Allocation Model: Fiscal Year 2012*" was distributed at the meeting. Ms. Carol Pratt, Town Accountant, briefly reviewed the document, beginning with projected revenue, using the current year as a base. She went through the document, explaining each section as she continued. Using this model, she stated the schools would have received close to \$1 million more than it did. Ms. Kennedy discussed the possibility of a Special Education stabilization account to enhance equity between the Town and Schools, noting this concept came from the Town of Lexington, MA.

Chairman Foresto asked if this model takes into account unexpected revenues from outside sources. Ms. Melanie Phillips, Finance Director, answered such revenues can always be added to the School's budget.

Selectman Crowley commented that the Town budget is usually fairly conservative, then asked what happens if, for example, health insurance costs are higher than anticipated. Ms. Pratt responded the difference in the budgeted and real amounts would have to come from the School's budget. Selectman

Crowley asked if the schools are able to share in any savings in health insurance costs, should the actual costs be lower than budgeted. Ms. Phillips responded that the difference would fall to free cash, unless the Board of Selectmen took action to transfer it back to the schools.

The Board next reviewed a document entitled *“Town of Medway, Budget Allocation Model: Projected Fiscal Year 2013”*, distributed at the meeting. Page 1 featured figures from the 5-year projection while Page 2 featured the same figures *plus 2% additional state aid*. Discussion followed, noting the potential for negative revenue. Ms. Phillips stated the Department of Revenue recommends a conservative approach to revenue estimates so that free cash is more likely.

Chairman Foresto stated he liked the model concept as it puts all numbers out there for everyone to see. Ms. Kennedy suggested a joint meeting of the Board of Selectmen and the School Committee, which would serve as a good starting point for budget preparation.

A final document, *“Medway Free Cash Analysis – FY11”*, indicated that deficit financing is what fuels free cash, a total of \$2,058,074, which can be used to pay off the deficit financing of \$1 million from the state.

Discussion followed on methods of fiscal management and different ways to utilize free cash. Selectman Espinosa suggested using free cash to fund capital improvements instead of using it to cover operational expenses, noting that much of the excess money comes from taxes from residents.

November 21 meeting:

Chairman Foresto asked the Board if the Selectman meeting scheduled for November 21 could start at 6 PM to allow viewing of the Patriots game and for pre-Thanksgiving preparations. Ms. Kennedy reminded the Board that the tax classification hearing is scheduled for that evening. After discussion, the Board decided to start the November 21 meeting at 5 PM.

Ms. Kennedy reported that a management letter was not submitted for this year, indicating the Town’s operations are in good shape.

Discussion – Joint Labor Counsel:

Chairman Foresto stated he met with labor counsel about the possibility of serving both the Town and Schools out of the same firm. It was noted that there are differing perspectives for each group. This particular firm operates in this manner for the towns of Grafton and Clinton. Chairman Foresto reported the representative indicated it’s really not an “apples to apples” kind of thing and that coordination is a major component of its success. Chairman Foresto stated he believes the coordination piece is more the job of the Board of Selectmen than labor counsel.

Chairman Foresto continued, saying the matter should be discussed further at a Leadership meeting to determine what the overall goals are. It was noted that the School is interested in changing its labor counsel, while the Town is happy with its current counsel.

Selectman Espinosa stated he has no problem with separate counsel. Selectman Crowley concurred with Selectman Espinosa, but suggested it should be mentioned at Leadership. Selectman Trindade stated that there is value in utilizing one firm, but pointed out that the actual people working with each group can and should be different. It was noted that the single most important factor to consider is salary increases. Chairman Foresto stated that attaining labor counsel does not require a formal RFP process, so firms can be invited to present rate schedules.

Chairman Foresto concluded by stating that while joint labor counsel does not have to happen, it is worth exploring. Ms. Kennedy stated that whatever the Board decides will be acceptable, but wondered if having joint counsel really can help to control salary increases at the schools. Overall, it could be good to find a firm whose rate was lower.

Discussion --Town-Wide Facilities Management:

Present: Robert Parrella, Chair; Robert Ferrari; Town-Wide Facilities Management Committee.

Mr. Robert Parrella stated he recently presented the committee's recommendations to the Board of Selectmen. He indicated the committee was comprised of individuals with a great deal of experience and expertise, representing business, education and school facilities.

Mr. Parrella reiterated the committee's objectives from section 1-3 of the recommendation:

Evaluate and determine how operations and management could be streamlined, define clear lines of responsibilities, ascertain if there are any expense savings or income generation opportunities, determine how service levels to the community could be improved, and recommend a clear and transparent process for determining facilities needs, including the prioritization and allocation of resources.

He continued, stating the group interviewed many Town departments, all of which indicated their interest in letting someone else worry about facilities so they could focus on their own jobs/areas of concentration. Mr. Parrella stated that after discussions with the Superintendent and the Director of Maintenance the schools want their main focus to be on education. He later met with Mr. Verdolino, and then the entire School Committee. Additionally, he met informally with Superintendent Evans a couple of times.

Selectman Crowley asked for his thoughts on the School's position. Mr. Parrella replied that some communities have specific job responsibilities related to facilities management outlined in their charters, i.e., the Town of Danvers. Often money allocated to facilities is shifted to other areas with an educational purpose. Ms. Kennedy stated the Town of Lexington created a Special Education stabilization account just for this purpose.

Mr. Parrella theorized the schools may be hesitant to change their routine due to transparency issues. Some project requests were never completed, and often no one really had the final say, but people tried to work something out. He suggested this is why it would be good to have an advisory board with the Town Administrator having the final say. He pointed out that custodial services are not considered maintenance. There should be more preventative maintenance, not allow junk to fill halls or basements, recycling everything that can be, etc. In conclusion, these functions need to happen.

Finishing his response to Selectman Crowley's question, Mr. Parrella reported that Superintendent Evans liked the meeting and the report, noting she was open to the possibilities. He stated that reading body language is important, and when people don't respond, it indicates a problem of some kind. He stated the School Committee was open to it, hoping it is an attempt to include everyone. He stated his personal feeling was that they will not go forward with it because they do not want to change the way they do things now.

Mr. Parrella suggested he would like to remove the "designee" provision for both the Town Administrator and Superintendent of Schools. The role of the Energy Committee would come under facilities management. The matter of solar panels should come under a Facilities Board, and not be under the express purview of the School Committee.

Selectman Espinosa theorized that sometimes committees think they are in charge of operations, and stated he dislikes the idea of yet another committee or board. Mr. Ferrari suggested the Board of Selectmen serve as a coordinating body. Committees should be oversight committees, not in charge. Ultimately this advisory board puts all groups together at the same table, allows for prioritization and coordination of projects. Committees sometimes get on parallel tracks.

Discussion on clear line of authority followed. The Board indicated that is not necessarily the way the report reads. Mr. Parrella agreed it is good to hear these questions, noting that recommendations are coming back from other groups as well. The group is comprised of people who already have their assigned responsibilities, and the role of the advisory board merely gets them together in one place at one time. He reviewed how they arrived at the makeup of the Facilities Advisory Board.

Mr. Ferrari suggested it was time to have a change of culture of committees thinking they are in charge. There should be one person in authority. He would like to establish a group that brings everyone to the table and represents all areas.

Selectman Espinosa expressed concern that there could be pushback from the Facilities Manager within the Department of Public Services. Mr. Ferrari stated there will be a list of qualifications for the person who would serve as a Facilities Director. Ms. Kennedy stated there is no one currently within the DPS staff who holds those job skills. Mr. Ferrari noted that the Capital Improvements Planning Committee sometimes serves in this role.

Selectman Trindade suggested the kneejerk reaction from the School is a fear that they are losing control, and suggested keeping Mr. MacLean as a Facilities Director. The Board disagreed. Mr. Ferrari suggested he could be in charge of all custodial services. Chairman Foresto acknowledged that some concessions may have to be made.

Citing philosophical issues, Selectman Crowley asked if this report was based on a “politically correct” way to get this accomplished, or was the committee implying that the only way to get things done is get the School Dept. on board so they feel part of the process. Mr. Parrella responded that the new director will first compile a list of projects, assign a dollar amount for funding, prioritize those projects, and then recommend the list to the Board of Selectmen.

Selectman Espinosa expressed concern that it is unclear how the budget for this advisory board would be developed. Who reports to whom? Who has ultimate decision-making authority?

Mr. Ferrari stated this recommendation is not trying to usurp anyone’s authority, but is meant to establish a mechanism by which the system could operate. There may be a need to clarify some of the language so there is no question about that. The Board agreed that some clarification would be advisable. Mr. Parrella concurred, noting there should be no transparency issues.

Selectman Trindade suggested the committee may want to rephrase what it states about the School’s intentions too, “educators want to be sure that funds are going to be committed to projects”. He also suggested that the terms “maintenance” and “custodial” be clearly defined. What about capital repairs? Selectman Crowley suggested pulling the maintenance dollars from each department’s budget to collectively fund these projects. It was noted that custodial services are often contracted.

Selectman Espinosa stated he is not in favor of raising taxes to do this and suggested money be shifted around in order to support the expenses, including the Facilities Director’s salary. Discussion followed on resource allocation, determining needs, kneejerk reactions, and transparency of facts.

Mr. Parrella asked that people send him any suggested changes to the text of the report. He stated the Facilities Management Committee is scheduled to meet on Monday, November 21.

Chairman Foresto summarized the Board’s position for the joint meeting with the School Committee and Finance Committee that the Board fundamentally agrees with the recommendation but acknowledge that some details need to be fine-tuned. The whole point is to try to make things better.

Mr. Ferrari stated the schools have nothing to lose because by law they have the ability to opt out after three years if a program isn’t working. He noted that Mr. DeVolder may prefer it be a separate entity to accommodate a potential Charter conflict.

Selectman Crowley asked what would happen if the School refuses to support the plan. Mr. Parrella responded that this did occur in the Town of Franklin, and ultimately funds were pulled from the schools.

Selectman Trindade suggested the matter could always be placed on a Town Meeting Warrant as a non-binding referendum. He mentioned the concept of a shared Information Technology Director as an example of a joint Town-School endeavor.

Approval -- Warrants:

Selectman Trindade read aloud Warrant 12-20, dated 11/17/11, submitted for approval:

12-20	Town Bills	\$1,201,444.93
	Total	\$1,201,444.93

Selectman Trindade moved the Board approve Warrant 12-20 as read in the amount of \$1,201,444.93; Selectman Espinosa seconded. Split vote – 3-0-1; Selectman Crowley was not in the room when the matter was discussed.

At 9:24 AM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. Split Vote – 3-0-1; Selectman Crowley was out of the room when the vote was taken.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Meeting
Joint Meeting with School and Finance Committees
November 15, 2011, 7:00 PM
Medway High School Library
88 Summer Street

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade (7:16) and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: School Committee: Jeff DeVolder, Chair; Carol Bernstein, Vice Chair; Diane Bernstein; Cindy Sullivan; Deb Trindade; Judith Evans, Superintendent, Medway Public Schools; David Verdolino, Finance Director, Medway Public Schools.

Also Present: Finance Committee: Martin Dietrich, Chair; Jeff O'Neill, Vice Chair; Members: Christine Devine (7:10), Kevin Dickie, Frank Rossi, and Jim Sheehan.

At 7:02 PM Vice Chairman Foresto called the meeting to order and led the gathering in the Pledge of Allegiance.

Documents submitted for this meeting include the following: Final Budget Status Report relative to the FY11 Budget; Overview, Operating Expenses Summary and Budgeted Staff Analysis relative to the Realigned Budget; and Town-Wide Facilities Management Report.

Review – FY11 School Dept. Budget:

Mr. David Verdolino briefly explained how the report was put together, noting there was no use of circuit breaker funds included. Two grants were received; an ED Jobs grant in the amount of \$600,000 and a Special Education ARRA grant for \$300,000 that was used to fund positions. He noted some retirements were filled with contract positions, and one maintenance person resigned without replacement.

Mr. Verdolino stated that budget variances occurred in building-based services by rotations, while the middle school and high school had significant variance. Budget was frozen before many expenses were incurred. Even with these expenses, circuit breaker funds were not used at that time. There is often a lengthy delay before all expenses are reported, such as students coming into programs mid-year, or delivering services outside of the district.

Other variances were in transportation, adding a bus to eliminate double runs. The School Committee elected to fund this out of school choice funds. There was a wide variance in utility expense, partly due to extreme cold weather and not yet implementing recommendations from the TRANE report. Mr. Verdolino clarified that the sources of funds typically directs where the specific funds can be used, i.e., circuit breaker can only be used for special education.

Mr. Martin Dietrich, Chairman, Finance Committee, stated he found it unusual that the budget is to the dollar. Mr. Verdolino responded that it is hard to predict in the spring what year-end totals will be until the final bills come in later in the summer. Town Meeting appropriation is always used first, followed by reserve funds. Some expenses are incurred after it is known what funds remain in the budget before unused funds are reverted back to the Town. Circuit breaker funds of \$462,000 were brought forward into FY12.

Mr. Verdolino continued, stating electricity is less due to the solar panel installation. Other utilities such as water and sewer were slightly higher, including contracted services for trash disposal. Custodial services are included as an operating cost, not as a representation of salary/personnel.

Chairman Foresto asked if there was a “best practices” methodology applied to the budget process. Mr. Verdolino responded that a precise business model cannot be used for this type of accounting because the cycles are so different. Discussion followed on school ranking, comparison to other communities and school districts, use of reserves, etc. Superintendent Judy Evans stated the schools are in a good position due to conservative use of funds, somewhat reduced enrollment, and keeping Special Education costs under control.

Mr. Dietrich asked what types of things are being deferred. When you get to a point where it can't be deferred, will it be a balloon payment that will be difficult? How long can you kick the can out of the road? Dr. Evans reiterated that the schools are in a good position. The Town was very generous in giving money for technology, and the middle school project will provide additional resources for technological upgrades. She emphasized that those resources have been pretty efficiently managed. Mr. Dietrich mentioned that a lot of roads and pipes around the community all have to be redone, and wondered about how that would apply to schools.

Mr. Jeff DeVolder stated the schools would love to add a curriculum director, but after looking at state tax receipts, they will just have to manage with what they have. He noted that sometimes the unexpected happens. A placement at a special school such as Perkins School for the Blind could significantly impact the budget, possibly as much as \$300,000 annually. Discussion followed on how school choice affects funds moving in and out of the budget. Dr. Evans stated her belief that more students will be coming into the district due to good standardized test scores; school choice students could total 100 by next year. Each grade level is scrutinized so that additional students do not create a need for additional classrooms or sections.

Mr. Jeff O'Neill, Finance Committee, suggested the cost of educating one student to be around \$10,000 per year. Mr. DeVolder responded that it depends on the situation. If there is a seat in a classroom that brings the classroom total to equal that of similar classrooms, the inherent cost is negligible.

Mr. Verdolino stated the schools are pleased that the reserves are as strong as they are (nearly \$1 million), but that is a recent resurgence of funds, noting the infusion of ARRA funds coupled with fiscal prudence.

Mr. O'Neill asked about revolving funds, perhaps for the lunch program. Mr. DeVolder stated that last year the schools lost money on it as participation in the hot lunch program was down. The belief is that it was somewhat due to the recession, and parents are sending students with lunch rather than buying lunch. Mr. O'Neill stated his children report the lunch line is too long, not enough time to get it and then eat it, and it's faster to bring lunch from home. Mr. Verdolino stated additional lines were added. He said he timed it once and noted the process of getting through the line took only two minutes. He commented that students may be opting out because they want French fries, which are no longer offered. He stated the program is still solvent even though the French fries are not available.

Referring to the last page of this section, Mr. Verdolino stated grants require that funds be spent by the end of the school year so no funds can be carried over until the next year.

Discussion – School Dept. Realigned FY12 Budget:

Mr. Verdolino stated they expanded some programs with associated costs, and still came in at a good level. He explained the summary, noting earlier versions did not include changes in personnel or expense revisions, and infusion of circuit breaker funds. This particular summary shows changes from year to year, as well as changes from budget votes at Annual Town Meeting and subsequent realignments. For specifics, see A-E notes on bottom of Funding Source Summary.

Selectman Crowley asked why there is a \$10,000 discrepancy between what these reports show and what the MUNIS system shows. Mr. Verdolino stated much of that is attributed to variances in staff. He said that while they could not add a curriculum director, they knew they would add three teachers. Additionally, twelve specific situations (retirements, leaves of absence, and resignations) were not known before Town Meeting, and some were not known even through the summer. Most often staff members were replaced by new hires at a lower salary level. Brief discussion on teacher attrition followed, noting that a budgeted average salary references a Masters Degree +6; difference between actual and budgeted is approximately \$1900 per position. The bulk of this discrepancy involves the non-renewal of three special education positions. Other attrition is deployment of paraprofessionals, three more than listed on the original budget.

There were also attrition adjustments relative to two administrative positions. Mr. Verdolino briefly reviewed other positions added, some associated with specific programs, such as MOVE. With respect to a solar power project manager, he stated that person oversees construction of the project and protects the interests of the School Department. Money for that position is available only in the event that a project manager is desired, as a salaried employee. The position may not be necessary; they will not know until the engineering study has been completed. The current vendor, Broadway Electric, may not be the vendor for future installations.

Mr. Verdolino stated that \$95,000 is associated with advanced degrees obtained by staff members, which equates to increases in their salaries. Staff must inform school by September 1 if there will be a degree change so it can be included in budget.

Finally, Mr. Verdolino reviewed the collective salary section showing each individual, their salary rate, location, and source of funding for their salary (budget or grant).

Mr. Verdolino directed the group's attention to the page titled Analysis of FY2012 SPED Tuitions – Initial vs. Re-aligned Budget, which shows expenses per student (names redacted for privacy) based on the out-of-district school at which they are enrolled. He stated the Commonwealth approves tuition rates for all special schools (schools where a student could be placed) at a collaborative meeting. Medway has no control over it.

Superintendent Evans briefly reviewed the MOVE program. Some students are significantly impaired and need life skills as well as vocational placement. The school employs a Job Coach who accompanies them out into the community. A program was developed for the students based on their needs, a teacher was hired, and the eventual plan is to be able to take more students from outside the district. Because of their impairment and unique needs, the school district is responsible for them until they turn age 22. Currently there are four students in the program, and significant savings are realized by not having to transport out of district. Dr. Evans stated they would also like to offer services to the community.

Mr. Verdolino stated MOVE is a good program, but acknowledged it is in its infancy, only two months old. The program could hold up to six students, depending on their specific needs. Selectman Trindade asked if this program follows school choice rules. Mr. Verdolino stated fees can be negotiated to cover the costs. Brief discussion on collaborative programs and Medway occupational vocational education followed.

Mr. DeVolder asked if there were any additional questions, stating that he hoped this was helpful as the schools are dedicated to increased transparency. Selectman Espinosa commented that the information was very well put together, and that the color coding was helpful.

Selectman Crowley asked when the realigned budget figures would be reflected in the MUNIS system. Mr. Verdolino responded that it would probably be in December, but not before end of November.

Selectman Crowley stated he noticed the maintenance budget had been reduced. Mr. Verdolino stated he was not sure if they will come in under \$300,000, but will try. The maintenance staff has been reduced by one maintenance person due to retirement. He noted that a decreased maintenance cost will occur once the middle school project is completed. Selectman Crowley asked if much of the cost is contracts like pest control, or other system maintenance contracts. Mr. Verdolino responded that replacement of univent filters, for example, has little cost other than the supplies, and the work is done by employees.

Selectman Trindade asked if there were any scheduled maintenance routines being deferred by economics. Dr. Evans stated the line between custodial, maintenance and facilities maintenance is kind of blurred. For example, if a window is broken, sometimes the repair work is done by custodians, which is not reflected as a maintenance cost. On a per pupil basis, the overall maintenance costs are average for schools of a similar size.

Selectman Crowley commented there has been a substantial jump in community education. Dr. Evans responded the school district hosts a day care program for teachers. As the program needs to be self-sustaining, it was opened up to municipal employees because there were spaces available.

Discussion – Town Wide Facility Management Study:

Chairman Foresto stated he met with Robert Parrella and Robert Ferrari of the Town Wide Facilities Management Committee to discuss the report and its recommendations. He added that the Board of Selectmen are in general agreement with the vision put forth in the report, but are not quite sure about the execution of the plan. Chairman Foresto stated that the relationship between the Board of Selectmen, Finance Committee and School Committee is crucial to making such a thing happen. This is for the community as a whole, and the Selectmen think it is an important step.

For the benefit of the Finance Committee, Mr. DeVolder (also a member of the Town Wide Facilities Management Committee) stated the gist of the recommendation of the committee is to combine facilities management into a single entity. He briefly reviewed the highlights of the report, pointing out that the Town Charter does not allow facilities management to come under anyone other than the Town Administrator. Therefore, any advisory board would report to the Town Administrator, who ultimately has the final say over the allocation of resources.

That important point complicates the process somewhat. Mr. DeVolder explained that a single department would be in charge of assigning repairs when requested. Responding to a question from Ms. Christine Devine, Selectman Crowley explained that maintenance line items (dollar amounts) would come out of all departmental budgets, and monies combined under the purview of the Facilities Advisory Board. Mr. O'Neill asked if this means additional employees will be hired. Mr. DeVolder responded that the intent is to hire one very experienced, well qualified, Facilities Director at an annual salary of approximately \$125,000.

Selectman Espinosa remarked that the blurred line between maintenance, custodial, Capital Improvements Planning Committee and preventative maintenance is a problem. He believes it is important to coordinate preventative maintenance and manage repairs, as well as seriously consider some kind of approach to deal with deteriorating equipment and limited resources.

Selectman Trindade stated that the committee was comprised of very qualified people who indicated that typically 2-4% of a municipal budget is spent on maintenance, and the Town is not even close to such an expenditure. Some items are being dealt with through the Capital Improvements Planning

Committee, but that doesn't deal with day-to-day things. Using the HVAC units at the library as an example, he stated no one checked them to see if they needed servicing; in fact, no one looked at them until they stopped working completely. Selectman Trindade suggested the same reporting structure be used to request repairs or handle projects so that contracts with outside vendors can be coordinated.

Selectman Crowley admitted the Board of Selectmen was not in favor of it in the beginning. The Board believes there is a lot of tweaking that needs to be done, as well as clarification of responsibilities and scope of duty. He asked if we do not approach it now, when will we have the opportunity to get people together again to revisit it?

Ms. Deb Trindade agreed with Selectmen Crowley that the report was a broad overview. Personally, she has no idea who does maintenance work for the Town – the Department of Public Services or someone else? If people are contracted to work in a school, do they become municipal employees? Lots of details need to be worked out. Ms. Kennedy confirmed that facilities management includes custodial work.

Selectman Trindade stated the whole idea is to make things better and to better utilize these resources. He said if they look at the communities that have implemented this kind of program -- they are getting better use of taxpayer dollars.

Mr. DeVolder stated it boils down to the age-old resource battle between municipalities and their schools. Will one side inherently ignore the other? Is it a lack of trust or a perceived slighting? Will the Town ignore the schools, while municipal concerns get first notice, or the other way around?

Selectman Espinosa commented that it needs to be done. Mr. DeVolder stated that some communities hired outside sources to develop a preventative maintenance schedule which seems to be working. It was noted that any program or schedule could be undone if it did not work out.

Mr. DeVolder stated the shared Information Technology services between the Town and the schools is working fairly well. Conversely, he does not think the shared Human Resources effort is working well. Selectman Espinosa wondered if enough effort was made to try to make it work.

Mr. O'Neill asked if a Facilities Director would need to be a Town employee, or a consultant to set up the program, and turn it over to existing employees to implement. He clarified that \$125,000 is an expensive salary to pay every year.

Selectman Crowley commented that the Town Wide Facilities Management Committee worked hard on developing this concept and its recommendations, and they need to look at it to see what could be done to move forward a little, a step at a time.

Ms. Carol Bernstein stated she supports blending for efficiencies, but expressed concern that many details need to be considered to determine how viable it will be. How will things be prioritized? Will this person understand how schools work? Things involving delivery of services to students are seemingly more important than something at the senior center, for example. Selectman Trindade

stated daily requests can take place the same way they are now; the process merely needs to be looked at.

Dr. Evans stated she does not like the idea of a five-member board between her and what she needs to get done. The shared Information Technology position works because job description was crafted specifically. Selectman Espinosa commented that there does not necessarily have to be a committee. An advisory board is merely what is featured in the report.

Selectman Trindade noted that more money was put into the effort of shared IT services, notably to update PC's, networks, etc., across Town. Similarly, contracts for like items, such as pest control, can be consolidated, and perhaps savings can be realized.

Mr. Verdolino stated the report almost implies that nothing is being done with maintenance, and that is not necessarily true. Theoretically, it is a good idea, but he expressed concern that years from now when resources may not be as good, the schools will have to cut teachers.

Selectman Trindade stressed that everyone has to drop the "us vs. them" mindset. This is for the good of the community.

Dr. Evans echoed Mr. Verdolino's comment that there is an assumption that the schools are not doing a good job of maintenance. There are some superficial things that need to be addressed, but major systems are in good shape, at least to her knowledge.

Mr. O'Neill asked what else is available, besides this approach. Selectman Trindade asked him if he buys into the overall idea. Mr. O'Neill responded that he did.

Ms. Trindade stated that, based on the report, which is more like a concept, it needs more research.

Ms. Bernstein wondered what the workflow look like, and suggested more analysis of specific steps.

Ms. Kennedy emphasized that one really important document to remember is the Town Charter, and as a result of the Charter change, things are being improved. Until the change took effect, nothing could be done.

Chairman Foresto threw the question to the whole group, specifically, this is just a model, and do we agree with it as a whole? Do we want to explore this further? The Board of Selectmen has decided to spend energy and time to explore it.

Mr. DeVolder stated he would like to see tighter integration on some aspects of the concept. He is in favor of looking at something.

Ms. Bernstein agreed, stating she will remain open-minded. She expressed concern with responsibility being housed on one side or the other.

Selectman Crowley expressed concern that the project may fall into a hole if they fail to move forward in a timely fashion.

Ms. Diane Borgatti agreed the Board should go ahead with it as the shared IT has worked out well. She would like a clearer understanding of how it would work.

Ms. Cindy Sullivan agreed that she needed more information. She stated she does not like the idea of a committee, but is in favor of collaboration to come up with additional options.

Ms. Trindade stated that she thinks it can work and they have an obligation to try to structure something that will work for people doing our jobs in the future, something that will not fail when personalities collide or when resources are scarce. She said they do not want to create a pitfall for people in the future.

Responding to a question from Chairman Foresto, Selectman Crowley stated the next step is that the Finance Committee meets with the Town Wide Facilities Management Committee. Mr. Dietrich said they could probably meet with them in December, but did not think the process should be halted to wait for that meeting to take place.

Mr. DeVolder suggested the matter also be discussed at the Leadership meeting on November 28.

Dr. Evans summarized her position by stating that more resources are needed, as well as professional expertise, to improve maintenance. She acknowledged that the schools may not have been as proactive in that regard, but limited resources do not allow this.

At 9:34 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Board of Selectmen's Meeting

November 21, 2011, 5:00 PM

Sanford Hall, Town Hall

155 Village Street

Present: Chairman John Foresto, Selectman Dennis Crowley, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Richard Dunne and Selectman Andrew Espinosa were absent.

Also Present: Allen Tingley, Police Chief; Will Naser, Principal Assessor.

At 5:02 PM Vice Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments: None.

Authorization to Expend Grant Funds – 911 Dept. Training -- \$7,000:

The Board reviewed the following information: (1) Notice of Grant Award for \$7,000; (2) FY2012 Training Grant Budget Worksheet; (3) Correspondence, dated October 28, 2011, from Frank Pozniak of the State 911 Department; and (4) Contract between Town of Medway Police and Fire Communications and Commonwealth's State 911 Department.

Allen Tingley, Police Chief, stated this grant will allow emergency dispatchers to attend classes while the remaining funds will be used to pay overtime and salaries for replacement officers for those attending. Responding to a question from the Board, Chief Tingley stated EMD stands for Emergency Medical Dispatch.

Selectman Trindade moved that the Board authorize the expenditure of the \$7,000 awarded by the State 911 Department which provides funding for training and associated payroll costs related to implementation of EMD Certification as required by the Commonwealth; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Approval – 4th Annual Project Alex 5K Walk/Run – September 8, 2012:

The Board reviewed the following information: (1) Email, dated November 7, 2011, from Ann Handy, containing event notices; and (2) Correspondence, dated November 7, 2011, from Police Chief Tingley.

Chief Tingley stated this is the fourth year for this event and thus far there have been no issues. It was noted that the correct date for the event is September 8, 2012. Selectman Trindade reported that proceeds from this event go toward good causes, for example, the weight room at the Middle School.

Selectman Trindade moved that the Board approve the route for the 4th Annual Alex Handy Walk/Run event scheduled for September 8, 2012 with the proviso that the organizers hire two detail officers to handle potential safety concerns as stipulated by Chief Tingley; Chairman Foresto seconded. No discussion. All ayes, 3-0.

Referring to Chief Tingley's attire, Ms. Kennedy pointed out that the Police Department has new uniforms, shirts and pants now both dark blue.

Selectman Crowley asked Chief Tingley about the generator at the Police Department. Chief Tingley responded that it is up and running. He confirmed the generator at the Fire Department is also in good working order.

Winter Parking Ban in Effect on November 27:

At this time Chief Tingley announced that, as of November 27, the Town's winter parking ban will go into effect. This means no parking on the street from 1:00AM to 5:00AM to accommodate snow plowing efforts. Chief Tingley clarified that this also means there should be no parking on sidewalks to avoid the street parking ban.

Executive Session:

At 5:11 PM Selectman Trindade moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body (Exemption 3): Burke sewer easement issue, and to return to public session immediately following executive session; Selectman Crowley seconded. Roll call vote – All ayes, 4-0: Chairman Foresto, aye; Selectman Crowley, aye; Selectman Trindade, aye.

At 5:29 PM Chairman Foresto reconvened the public session.

Approval of Contract for Windows and Door for Water Division Building – Summit Home Builders, Inc. - \$13,684:

The Board reviewed the following information: (1) Memorandum, dated November 17, 2011, from Thomas Holder, Director, Department of Public Services; and (2) Agreement between Town of Medway and Summit Home Builders, Inc.

Ms. Kennedy reported this contract is for replacement windows and doors for both buildings, adding that there will be \$12,500 in rebates coming back to the Town. The rebate money will be used for other projects. She stated that scheduled audits for Town Buildings have been completed, audit reports are being reviewed by staff and she should have a report to the Board of Selectmen by mid-December. She stated there should be a cost savings by implementing recommendations made in the audits. For example, anti-idling devices are being researched. She has asked staff to get projects done as soon as possible so that additional grant applications can be submitted.

Discussion followed on using MAPC grant funds to support a position of a shared energy manager with Medway and as yet to be identified other towns. Ms. Kennedy stated she would also like to use grant funds to engage businesses and the community at large to encourage increased recycling.

Selectman Trindade asked about grate work and the Oakland Street well. Ms. Kennedy will look into whether funds can be repurposed. Brief discussion followed on a TRANE recommendation relative to a pump at the high school.

Selectman Trindade moved that the Board approve the contract with Summit Home Builders, Inc. for window and door installation at the Water Division building in an amount not to exceed \$13,684; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Approval of Contract for HVAC Controls at Library – Howse Corp. -- \$26,000:

The Board reviewed the following information: (1) Memorandum, dated November 17, 2011, from Thomas Holder, Director, Department of Public Services; and (2) Agreement between Town of Medway and Howse Corporation, Inc.

Town Administrator Kennedy stated these controls will make the HVAC system more energy-efficient as the control will be more precise. With the associated rebate, the final amount will come down to \$18,300. She reported that \$30,000 was budgeted and that this is a building management system.

Selectman Trindade moved that the Board approve the contract with Howse Corporation, Inc. relative to supply and installation of HVAC controls for the Medway Public Library in an amount not to exceed \$31,200; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Authorization to Expend Grant Funds – Sustainable Materials Recovery Program -- \$7,600:

The Board reviewed the following information: (1) Contract between Town of Medway and the Commonwealth of Massachusetts; (2) Correspondence, dated October 28, 2011, from Kenneth Kimmell, Commissioner, Department of Environmental Protection; and (3) Notice of Grant Award – Sustainable Materials Recovery Program.

Ms. Kennedy stated this is primarily to provide collection as well as educational materials to the public. Selectman Trindade suggested getting local students involved as in the Green Team at the high school. Brief discussion followed.

Selectman Crowley moved that the Board authorize the expenditure of \$7,600 awarded by the State Department of Environmental Protection which provides funding for the purchase of roll-off collection containers for bulky plastic items and related educational materials; Selectman Trindade seconded. No discussion. All ayes, 3-0.

Approval – Reappointment Audrey Ritter – Medway Cultural Council:

The Board was in receipt of an email, dated November 17, 2011, from Audrey Ritter, confirming her interest in reappointment to the Medway Cultural Council.

Ms. Kennedy stated Ms. Ritter has been a member of the Cultural Council and is now seeking reappointment.

Selectman Trindade moved that the Board approve the reappointment of Audrey Ritter to the Medway Cultural Council for an adjusted term to expire on June 30, 2014; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Discussion – Energy Committee Review – Kearsage Solar Proposal:

Chairman Foresto stated this topic was discussed at last week's meeting of the Energy Committee, relative to a proposed solar energy development in Bellingham. He briefly explained that Kearsage is building a solar energy site, offering the rights to buy in at the beginning of the project, with a finite amount of power. The power goes out to the "grid" and the electric power company (National Grid) discounts it in the billing process.

Ms. Kennedy stated the estimated savings at \$55,000 annually, based on maximum purchase from Kearsage. Does BOS want the Energy Committee to review on its behalf? Discussion followed. Ms. Kennedy stated she would like to see a copy of the proposed contract, as this would help the Energy Committee determine the value of the proposed project for the Town. Chairman Foresto stated he will try to get a recent version. Selectman Crowley asked that this topic be placed on the Action Items List. Selectman Trindade suggested the Energy Committee continue to look into it, with the support of Town Counsel.

Discussion – Schedule for Budget Policy:

Ms. Kennedy provided a brief update on the revenue model being presented at Leadership next week, a revenue allocation model that considers both the Town and School Department. Selectman Crowley stated he likes the Lexington format better, but acknowledged he could work with either one. He suggested setting a date by which the Board of Selectmen has to make a decision on which one to use. Chairman Foresto suggested that, as the model will be presented next week, that the Board make a decision at its meeting on December 5 in order to set its budget policy.

For the benefit of viewers, Ms. Kennedy briefly explained the Lexington model, stating that it is a fair model in which no one group is held responsible if fixed costs go up. All groups are treated equally throughout the process. This particular model features a percentage breakdown of operational costs and incremental revenue at 77/22 between Town/Schools. It also utilized a level funded budget with FY11 as the basis for the model, and later adding anticipated revenues. All parties share proportionately in either costs or revenues. Selectman Trindade theorized that ultimately Town Meeting action and available money are driving factors, no matter what kind of model is used. Discussion followed.

School Committee Report from School Committee Liaison:

School Committee Liaison Cindy Sullivan briefly updated the Board on recent activities. She reported that Superintendent Evans recently went to the Republic of China, exploring the possibility of bringing Mandarin into the Medway school language program as well as establishing relationships with schools there. Ms. Sullivan stated the trip was funded by a grant, and similar grants sent approximately 400 educators from across the country to China.

Ms. Sullivan stated a new computerized program, Measures of Academic Progress (MAP), has been implemented and the scores are sent to parents. As questions are answered correctly, they become harder and harder.

Regarding the Middle School Repair Project, Ms. Sullivan stated the contractor is submitting a targeted completion date of December 2012, ten months sooner than originally expected.

The annual Turkey Trot on Thanksgiving Day will take place as planned, which funds replacement uniforms for school athletics.

Selectman Crowley asked for an update on the upgraded replacement computers. Ms. Sullivan stated she will look into it and report back.

Selectman Trindade suggested a brief presentation on all upgraded technology, wireless systems, Virtual Town Hall, etc. to showcase Medway as being on the cutting edge of technology.

Action Items from Previous Meeting:

#3 -- American Legion Building – It was suggested that, according to the original documentation for the building, the group may not understand they cannot sell it, but that it would revert back to the Town if it were no longer used for American Legion activities. Brief discussion followed.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant #12-21, dated 11/23/11, submitted for approval:

12-21	Town Bills	\$ 27,500.00
12-21S	School Bills	351,276.12
12-21P	payroll town	322,795.55
12-21S	payroll school	777,518.33
TOTAL		\$1,479,090.00

Selectman Trindade moved the Board approve Warrant #12-21 as read in the amount of \$1,479,090.00; Chairman Foresto seconded. No discussion. All ayes, 3-0.

Town Administrator's Report:

As a follow-up to assessing the Town's emergency preparedness, Ms. Kennedy stated she has spoken to another individual with expertise as an Emergency Management Coordinator. Most of it deals with emergency operations capacity with regard to equipment, developing maintenance contracts so that equipment is regularly inspected and reviewed; expanding communications (utilizing ham radio operators), and identifying and equipping emergency shelters. All can be considered in budget preparation.

Selectmen's Reports:

Selectman Trindade stated the joint meeting with the School Committee went well and was beneficial. Mr. Trindade asked how the transition to Virtual Town Hall was progressing. Ms. Kennedy responded that the staff has been meeting weekly to assess progress. Presently, there is only a front page so there is not much to see, and it is a long way before it will go live. Selectman Trindade stressed the importance of the Town's website, noting it is a communications tool for residents and businesses, as well as utilized by people who are considering a move to Medway.

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Chairman Foresto reported that the Energy Committee is down three members. He urged people interested in joining the Energy Committee should contact the Town Administrator's office. He added that there are openings on the Board of Assessors as well.

Regarding the role of the Energy Committee, the Board decided that a bylaw regarding review of energy issues was not appropriate at this time, but that the Board is very supportive of the work the committee does. Selectman Crowley suggested that it might be a good idea to send a note to all department heads that all energy matters should be referred to the Energy Committee, and to consider the committee an important resource.

Approval of Minutes:

The Board reviewed Draft minutes of Selectmen meetings held on October 26, October 31, and November 7, 2011.

Selectman Trindade moved the Board approve the minutes of October 26, 2011, as amended; Selectman Crowley seconded. No further discussion. All ayes, 3-0.

Selectman Trindade moved the Board approve the minutes of October 31, 2011, as drafted; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Selectman Trindade moved the Board approve the minutes of November 7, 2011, as amended; Selectman Crowley seconded. No further discussion. All ayes, 3-0.

Tax Rate Classification Hearing:

The Board reviewed a document entitled "FY2012: Residential Factor/Tax Classification Hearing, November 21, 2011" prepared by the Board of Assessors.

Present: Will Naser, MAA, Principal Assessor; Board of Assessors – Pete Manning, Chairman; Jay Newton, Clerk; and Bill Oldmixon, Member.

At 7:00 PM, in accordance with the published legal notice, Chairman Foresto convened a Public Hearing for the purpose of discussing FY12 Tax Classification and determination of a Residential Factor.

Mr. Will Naser, Principal Assessor, introduced the Board of Assessors present, noting that Mr. Bill Oldmixon had just been sworn in earlier today.

Mr. Naser summarized the work the Assessors office has completed in the past year in order to prepare for this hearing, noting that FY12 is a revaluation year for the Town of Medway. Last year they made contact with the state about the plan to proceed. The work is done through the winter and summer, utilizing computer analysis coupled with physical inspections and reviews. The Town received approval on growth, home sales and tax levy growth. Utilizing a PowerPoint presentation (previously sent to the

Board electronically) he reviewed the questions regarding specific exemptions the Town has to consider when setting a tax levy, noting that there are actually four questions communities consider, and clarifying that the fourth one, the Open Space Exemption, does not apply to Medway.

Mr. Naser indicated that the financial information contained in the presentation was finalized on Friday, November 18, updated from the data in the copy the Board received. He reviewed slides featuring various tax rate options featuring a single tax rate (residential only) and three options shifting the tax burden by 5%, 10% and 15%, respectively. He continued with additional slides representing data on past and present tax levies, assessed values, comparisons to other communities, and other related statistics.

It was noted that the sale of the power plant was a major contributing factor under the heading of commercial growth. Mr. Pete Manning, Chairman, Board of Assessors, stated each section (residential, commercial, industrial, etc.) are not examined independently; instead the calculation begins with the amount of money that needs to be raised which is then divided proportionately. Town Administrator Kennedy clarified that new growth, residential or otherwise, is not related to the number of building permits issued. Mr. Naser stated he would provide a breakdown of the areas reflecting new growth. Regarding the historical information page, Mr. Naser reported that some of the land tables have been revised, and the power plant data information has been added to it.

Drawing the discussion back to the purpose of the hearing, Mr. Naser began reviewing the Questions Requiring a Vote by the Selectmen of Medway.

Question 1 – Do you choose to have a residential exemption? Mr. Naser stated the Town of Medway has not had this in the past as it is typically adopted in rental areas and summer home areas, presently 13 out of 351 communities.

Selectman Trindade moved that the Board not adopt a residential exemption; Selectman Crowley seconded. No discussion. All ayes - 3-0.

Question 2 – Do you choose to have a small commercial business exemption? Medway has not adopted this previously, currently adopted by 6 out of 351 communities.

Selectman Trindade moved that the Board not adopt a small commercial business exemption; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Question 3 – Do you choose to have a single tax rate or a split tax rate? If split, what tax burden percentage is desired?

Selectman Trindade moved that the Board adopt a Single Tax Rate (factor of 1) of 17.58; Selectman Crowley seconded. No discussion. All ayes, 3-0.

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Mr. Naser stated that, based on tonight's vote, the Assessors Office will prepare the required form, Classification Tax Allocation, Form LA5, for the Board's signatures and deliver it to the Town Administrator.

The Board commended the Assessors Office and Board of Assessors for their hard work.

At 7:26 PM Selectman Trindade moved to close the public hearing and to adjourn the meeting of the Board of Selectmen; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Meeting

November 7, 2011, 6:30 PM

Sanford Hall, Town Hall

155 Village Street

Present: Vice Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Chairman Richard Dunne was absent.

Also Present: Will Naser, Principal Assessor; Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant; Susy Affleck-Childs, Planning and Economic Development Coordinator; Tom Holder, Director, Department of Public Services.

At 6:32 PM Vice Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Executive Session:

At 6:33 PM Selectman Trindade moved that the Board go into Executive Session to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Exemption 6): Map and parcel nos.: 5-34; 5-308; 8-3&8; 8-9, 7-4E (Briggs and Wickett properties), and to return to public session immediately following executive session; Selectman Espinosa seconded. Roll call vote – All ayes, 4-0: Vice Chairman Foresto, aye; Selectman Espinosa, aye; Selectman Crowley, aye; Selectman Trindade, aye.

At 7:05 PM Vice Chairman Foresto reconvened the public session.

Public Comments: None.

Reorganization of the Board:

Town Administrator Kennedy announced that, due to Chairman Dunne's temporary relocation for his job, he has opted to remain on the Board of Selectmen, but step down from the position of Chairman. Brief discussion followed.

Selectman Trindade moved that the Board appoint Vice Chairman John Foresto as Chairman, Selectman Espinosa seconded. No further discussion. All ayes, 3-0-1 with Chairman Foresto abstaining.

Selectman Crowley moved that the Board appoint Selectman Glenn Trindade as Vice Chairman; Selectman Espinosa seconded. No discussion. All ayes, 3-0-1 with Vice Chairman Trindade abstaining.

Consideration of Appointment: Board of Assessors – William Oldmixon:

The Board reviewed a letter of interest and resume, dated October 25, 2011, from William Oldmixon, 14 Hemlock Drive.

Mr. William Oldmixon stated he and his family have lived in Medway for three years and he would like to help out the community they now call home.

Selectman Trindade moved that the Board appoint William Oldmixon to the Board of Assessors for a three-year term; Selectman Espinosa seconded. There was brief discussion on the length of the term; it was clarified that Mr. Oldmixon would be replacing someone whose term had expired. All ayes, 4-0.

Approval – Utility Billing Services Contract with Mark Altman & Associates:

The Board reviewed the following information: (1) Email from Tom Holder, Director, Department of Public Services, dated November 1, 2011; and (2) Contract, dated October 6, 2011, between the Town of Medway and Mark Altman and Associates.

Mr. Tom Holder, Director, Department of Public Services, briefly summarized the proposal, noting that half of the amount is what the dept currently pays on postage to mail utility bills. MUNIS will be used for billing, and data gathered via automatic meter reading will be used. This company prints the bills from an electronic file, stuffs the envelopes, etc. Mr. Holder expressed hope that one day the Department of Public Services can enhance the revenue stream by going to a quarterly billing system. Regarding the contract, he stated that residents will see no change when this company takes over. The department processes 400 – 600 accounts each month, and postage costs do not include paper, copier toner and labor costs. In conclusion, Mr. Holder stated the department would like to get some of the more routine functions done more efficiently.

Selectman Trindade moved that the Board approve the contract with Mark Altman & Associates for utility billing services; Selectman Crowley seconded. No discussion. All ayes, 4-0.

There was brief discussion of the new meter replacement and the data generated by the new system. Mr. Holder stated it was a good project for the Town as many problems can be managed remotely without sending staff out to the residences to troubleshoot.

Presentation – Revenue Forecast:

The Board reviewed report forecasting revenue in coming years.

Present: Melanie Phillips, Finance Director and Treasurer-Collector; Carol Pratt, Town Accountant.

Ms. Kennedy briefly stated the state revenues look more promising than originally anticipated and invited Ms. Phillips and Ms. Pratt to discuss expenditure assumptions. Ms. Pratt briefly reviewed various pages in the report, noting the figures were predominantly based on projected increases of 2.5%. Selectman Espinosa expressed concern that the revenue assumptions seemed low, while the expense assumptions seemed high. Ms. Phillips responded that the numbers were very close to actual overall, noting that the projections were supported by historical information.

Selectman Trindade asked if salary raises of 2% were included in these figures. Ms. Phillips replied they were not, only those that are contractually obligated via union agreements. Ms. Kennedy stated some assumptions are more optimistic than they ordinarily would be, noting that health insurance, for example, was secured at a much lower rate than originally estimated. Reality always presents a different picture from the projections. Discussion followed.

Responding to a question from Selectman Crowley regarding debt service, Ms. Phillips pointed out that the funding for the Middle School Repair Project has not been completed. Aside from that project, if no more borrowing occurred, debt service would decrease. For the middle school, Town Meeting approved an authorization to bond the entire \$22 million, but only a portion will be bonded, due to reimbursement from the School Building Association (SBA). Selectman Crowley asked Ms. Pratt to revisit the projections, specifically at “flat lined” salaries and expenses.

Ms. Kennedy stated that overall this is a very conservative approach. Chairman Foresto asked when the Board needs to prepare its budget letter. Ms. Kennedy stated it is usually done in December, noting that she did not believe the Town Charter specifies a date for that action. The Board agreed to meet on Tuesday, November 15 at 8:00 AM to discuss revenue models.

Legislative Breakfast:

Selectman Trindade suggested another Legislative Breakfast similar to one held last year, and invite all elected state representatives to attend. Selectman Crowley suggested first week of January as governor’s budget will be released by the end of January. The Board will consider a Saturday morning, and also invite the School Committee and Finance Committee to attend.

Discussion – Street Acceptances:

The Board reviewed the following information: (1) Memo, dated November 2, 2011, from Susy Affleck-Childs; (2) Street Acceptance Matrix; and (3) Claybrook II Subdivision map.

Present: Susy Affleck-Childs, Planning and Economic Development Coordinator; Tom Gay and Bob Tucker, Planning and Economic Development Board.

Ms. Affleck-Childs briefly summarized that approximately 1.5 years ago an effort was begun to determine the “troubled” subdivisions in order to rectify problems in specific areas. She stated the updated matrix has been clustered by subdivision, and would like to recommend Claybrook II as the next targeted area. A friendly eminent domain process would be used. She estimated the costs to be around \$5,500, and added that the Meadows subdivision would be follow Claybrook II in this effort.

Ms. Affleck-Childs stated the bond money has been secured in the amount of \$42,190. The town would be responsible for costs above and beyond the amount of the bond. Discussion followed. Chairman Foresto expressed concern that these costs seem to come via emergency fund transfers. He suggested a TM article to earmark specific funds so that operational reserve is not always hit. Ms. Kennedy noted that the legal aspects of this kind of action takes a long time, i.e., easement letters to residents, then getting the easements recorded, etc. She acknowledged that some roads are more complicated than others. Ms. Affleck-Childs pointed out that no work can be done in the road until the Town has accepted the street itself.

A resident asked if a process is created for this kind of thing, does that process give the developer an “out”, or reason not to do the work? Selectman Espinosa responded that many of these subdivisions are as done as they are going to be, as they were completed in the 1990s. The present process has been refined in order to prevent past difficulties. Selectman Trindade stated that, technically, the Town doesn’t even have to plow unaccepted streets, but does so because it is an issue of safety. Some of these subdivisions will take a good deal of time and expense to complete. Mr. Tom Gay stated this particular subdivision was easy to do because of its size and level of completeness.

It was noted that, should there be a Special Town Meeting in the early spring of 2012, this could be included. Otherwise, it would be considered at Annual Town Meeting.

Ms. Affleck-Childs stated she can now begin meeting with the residents of Claybrook II now that the Board of Selectman is on board with the process.

Approval – Revised School Building Committee Membership – Middle School Repair Project:

The Board reviewed a revised membership list for the School Building Committee relative to the Middle School Repair Project.

Mr. Bob Tucker briefly reviewed the proposed changes in the membership of the committee.

Selectman Trindade moved that the Board appoint John Foresto (replacing Andrew Espinosa), Cindy Sullivan (replacing Shelly Wieler), Armand Pires (replacing former School Principal), and Martin Dietrich (replacing Lawrence Ellsworth – Finance Committee) to the School Building Committee relative to the Middle School Repair Project as presented on the revised membership list; Selectman

Crowley seconded. Mr. Tucker asked that the Finance Committee representative be a regular attendee as non-attendance often impacts the presence of a quorum. No further discussion. All ayes, 4-0.

Ms. Kennedy stated she will confirm the name of the Finance Committee representative as it may not be the Chairman.

Emergency Transfer Requests – Library, \$17,640, HVAC Units; Planning Dept., \$15,000, Title Research Related to Oak Grove:

The Board reviewed the following information: (1) Emergency Transfer Request, dated October 25, 2011, from the Medway Public Library requesting \$17,640; and (2) Emergency Transfer Request, dated November 2, 2011, from Planning and Economic Development, requesting \$15,000.

Present: Margaret Perkins, Acting Director, Medway Public Library; Susy Affleck-Childs, Planning and Economic Development Coordinator; Will Naser, Principal Assessor; Cynthia Trainor, 101 West Street.

Item 1- Medway Public Library: Ms. Kennedy stated this is the result of a snafu, noting that the necessary funds were not encumbered appropriately. However, the work was completed with FY12 operating funds, activating a rebate of some of the cost. She stated the initial transfer of funds was not lost, going to free cash, and Ms. Perkins is now seeking a transfer to replenish her budget.

Selectman Trindade moved that the Board approve the Library's emergency transfer request of \$17,640 to replace HVAC units; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Item 2 – Planning and Economic Development: Ms. Kennedy stated these funds are necessary to continue the title research in order to make sure all properties are appropriately taxed.

Ms. Cynthia Trainor wanted to know what criteria constitute an emergency transfer instead of going to Town Meeting with a Warrant Article. Chairman Foresto responded that the document is labeled Emergency Transfer but is intended for "unforeseen expenses" by definition. Ms. Trainor stated that a lot of errors have been created by Town Hall, and residents should be able to vote on matters instead of just the Board of Selectmen. Selectman Espinosa stated this matter was discussed for the upcoming Warrant, but opted to submit a request to the Finance Committee instead. Selectman Crowley asked Ms. Affleck-Childs why the matter could not wait. She replied that it is tethered to the feasibility study the funding for which will come as a grant from MassDevelopment who is anxious for the work to be completed. The sooner the title work is done, the sooner the study can be completed.

Ms. Trainor asked if any incorrect information was submitted that would invalidate the grant. Selectman Trindade stated there are ownership issues with these properties, and now specific legal expertise is necessary to clarify that ownership. Even if there were not a feasibility study proposed or involvement with Mass Development, it is crucial to determine who owns it. Who gets the tax bill? He acknowledged that previous Boards opted not to do anything, and now we are trying to clean it up. The

matter falls within the guidelines for proper Finance Committee expense, and this matter is something that is long overdue.

Selectman Espinosa stressed that what the Town is trying to do is important, but admitted that he had issues with the method.

Selectman Crowley advised that this may not be the last one, that there could be other similar situations. The final outcome is unknown while the work continues and the next steps are determined. He agreed with Ms. Trainor that the matter could have been prepared for a Warrant Article.

Selectman Trindade clarified that nothing from a development standpoint can happen with the land without a Town Meeting vote. Chairman Foresto stated until the property owners are determined, we will have to spend the money to get it clarified. The problem was worse than anticipated, so we need additional funds to finalize the title search to get tax base straightened out. He cautioned that further discussion was inappropriate, noting that the matter had been reviewed during executive session.

Ms. Trainor stated that a document was found which implied that certain properties were to be deleted from tax system. Ms. Kennedy commended the Assessor's Office and Planning Board for taking on this 40-year-old problem and trying to get it straightened out. She added that Mr. Naser implemented all kinds of revisions to rectify the tax base.

Selectman Trindade suggested that the executive session minutes should be approved and released. Ms. Kennedy stated she would check with Town Counsel on the matter.

Ms. Naser stated that his belief is that it was simply a mistake or oversight in the office, based on what he has learned. Looking at the discrepancy on the parcels involved, it does not appear that it was anything more than a mistake. Chairman Foresto reiterated that the Town Administrator will seek Town Counsel's opinion on whether those minutes can be released.

Ms. Trainor stated her concern is that things are being done behind closed doors. Things with a substantial value should have been included on a Warrant. Addressing Ms. Affleck-Childs, she asked if there is an expiration date for the grant. Ms. Affleck-Childs stated there is none, just a strong desire to get things going and completed.

Selectman Trindade moved that the Board approve the Planning Department's emergency request of \$21,000 to continue title research and updating the Assessor's maps and perimeter survey related to the Oak Grove area; Selectman Crowley seconded. Selectman Crowley stated the title on the document is misleading and suggested it be revised or clarified. All ayes, 3-1; Espinosa oppose.

Responding to a question from the Board, Mr. Naser stated tax bills have been sent out for the parcels with clarified ownership. Other parcels will receive bills as the ownership is determined.

Approval – Medway Lions Annual Charity Christmas Tree Sale:

The Board reviewed a letter, dated October 24, 2011, from the Medway Lions Club requesting permission to hold its annual tree sale at the Medway Plaza.

Selectman Trindade moved that the Board approve the Lions’ annual Christmas tree sale at Medway Plaza as requested; Selectman Espinosa seconded. No discussion. All ayes, 3-0-1: Selectman Crowley abstained as he is a member of the Medway Lions Club and involved in the tree sale.

Discussion – Facilities Management Consolidation Report:

The Board reviewed a draft report entitled “Town Wide Facilities Management Study”.

Ms. Kennedy stated the School Committee suggested this might be discussed at the joint meeting scheduled for November 15. The Finance Committee has been invited to the meeting.

Chairman Foresto stated he had not read it all yet. Selectman Crowley suggested that if the Board has questions, it would be prudent to get some answers before that meeting. It is possible that some topics may be controversial and having clarification will be important. Discussion followed. The Board agreed to add this item to the agenda for its meeting on November 15, changing the starting time to 7:00 AM and inviting Mr. Robert Parrella of the Town Wide Facilities Management Committee to join the meeting at 8:00 AM.

School Committee Report from School Committee Liaison:

Ms. Deb Trindade, School Committee, stated that at its November 3 meeting, the group discussed agenda items for the November 15 meeting with the Board of Selectmen, mainly the FY12 re-aligned budget and the FY11 actual budget. She suggested that the discussion of facilities management be added to meeting postings. As Superintendent Evans is in China, the committee worked with Mr. Verdolino in the budget discussions. Ms. Evans is in China with the expectation of establishing a sister school there, and perhaps bringing Mandarin into the language program at the Medway Public Schools.

Selectman Crowley asked Ms. Trindade if the Board could get either a hard copy or electronic copy of the TRANE report. He stated the Energy Committee does not have access to the report but would like to review it. Ms. Trindade responded that she has access to an executive summary, but will try to get a copy of the entire report. The Board requested one copy for the Energy Committee and one copy for Board of Selectmen, and that electronic copies are acceptable.

Action Items:

Route 109 Project: Selectman Espinosa stated there will be a meeting with MAPC (part of MPO) on November 18th at 9 AM to discuss this project. Chairman Foresto asked Selectman Crowley to briefly explain what the Metropolitan Planning Organization is. Selectman Crowley stated the Metropolitan Planning Organization is comprised of thirteen groups in the region. The state allocates federal funds as they come in. The largest group, Boston, represents over 100 communities. Medway was able to secure one of 22 seats at the table, and these representatives determine how the nondiscretionary money is spent. This year the amount is approximately \$65 million dollars. He stated he has not seen the MPO list to know if Route 109 is on the list. Selectman Espinosa clarified there was no intent to get state money for the project, but rather all federal money. Ms. Kennedy confirmed there is a lot of support for the project at the state level.

Virtual Town: Selectman Trindade stated he would like to see a mockup of the new virtual website before it goes live. Ms. Kennedy stated she will ask the IT Director to give the Board of Selectmen an update.

There were no other updates.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant 19, dated 11/10/11, submitted for approval:

12-19S	School Bills	\$198,478.07
12-19P	Gross Pay Town	\$265,062.83
12-19SP	Gross Pay Schools	\$760,694.26
TOTAL		\$1,224,235.16

Selectman Trindade moved the Board approve Warrant 12-19 in the amount of \$1,224,235.16; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Town Administrator's Report:

Ms. Kennedy reminded the Board she had previously mentioned that the Town had been approached by an energy firm regarding the purchase of solar power. She stated she went to a meeting in Bellingham, where it was determined that Bellingham will approach Medway's Energy Committee to see if they think this is a worthwhile venture. There will be a meeting on November 16 at 7 PM. Selectman Crowley suggested inviting Mr. David Verdolino of the Medway Public Schools as he is the energy purchaser for the school system.

Ms. Kennedy added that, with increased correspondence from MAPC and MPO, there is interest in creating an energy program that will provide us with technical assistance similar to what occurred in the creation of the “green” efforts in Town.

The Town received another grant from the Department of Environmental Protection, the Sustainable Materials Recovery Program. The grant provides \$7,600 to provide a container for hard plastics as well for additional education.

The Town has offered a position to Mr. Doug Haven of Medway who will serve as the Housing Specialist for the Affordable Housing Trust. The terms of his appointment are being determined, and he hopes to be here the week following Fall Town Meeting.

In conclusion, Ms. Kennedy stated that Representative Barney Frank will be the new representative for Medway after the redistricting shifted Representative James McGovern to a more westerly area.

Selectmen’s Reports:

Selectman Trindade had no report.

Selectman Espinosa asked if the Town needs to formally appoint Selectman Crowley to the MPO as the Chairman of the Board of Selectmen is typically the official representative. Ms. Kennedy stated she followed the guidelines she was given, specifically that former Chairman Dunne prepared a letter declaring Dennis Crowley as his designee. This allowed Selectman Crowley to participate in the election. Selectman Espinosa suggested it is something the Board as a whole should validate, as he was not sure the Chairman alone had that right. Selectman Crowley stated the MPO rules clearly state the Chairman has the right. Selectman Espinosa clarified that the Chairman should be able to designate but do so with the support of the Board.

Selectman Espinosa moved that the Board appoint Selectman Dennis Crowley to the position of MPO representative for the Town of Medway in light of Richard Dunne’s resignation as Chairman; Selectman Trindade seconded. Selectman Espinosa commended Selectman Crowley on his representation for Medway, noting that his expertise and ability to communicate with other towns was critical to winning the seat. Selectman Crowley stated it was a Town effort, with people making phone calls and Ms. Kennedy sending out letters of support. All ayes, 4-0.

Selectman Crowley asked Ms. Kennedy if the life of the ambulance was considered at five or seven years, relative to the financing. She responded that the Finance Director had indicated it was for five years. Selectman Crowley asked if he could see a comparison of the two plans, noting that it could be considered at the meeting on November 15.

Chairman Foresto expressed concern that the Energy Committee is uncertain of their role now and suggested the Board provide an explanation or clarification. He indicated the Board needs to let them know what its expectations are. There was brief discussion on creation of a bylaw. Chairman Foresto

offered to attend the next meeting of the Energy Committee to discuss things, but wanted the Board's perspective first. Discussion followed. Selectman Crowley suggested the committee put together a list of areas and responsibilities where they think they can add value, now that they have been working as a committee for over a year.

Chairman Foresto stated he met with the Town Administrator and Superintendent of Schools, at which time the subject of common counsel for labor negotiations was discussed. Responding to a question from Selectman Trindade, she stated a Request for Proposal (RFP) is not necessary, and it was decided that the Town and the School Department would each submit the names of three prospective firms to consider. She stated she has instructed the Human Resources Director to make some preliminary calls. Ms. Kennedy anticipates the meetings with firms will begin the first week in December.

Approval of Minutes:

The Board reviewed draft minutes of public sessions held on October 3, 2011, and October 17, 2011.

Selectman Trindade moved the Board accept the public session minutes of October 3, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved the Board accept the public session minutes of October 17, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

At 9:12 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Respectfully submitted,

Jeanette Galliardt

Night Board Secretary

**Board of Selectmen's Meeting
January 19, 2011, 6:30 PM
School Committee Meeting Room
45 Holliston Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Andrew Espinosa, and Richard Dunne and Town Administrator Suzanne Kennedy. Selectman Glenn Trindade was absent.

At 6:35 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 6:36 PM Selectman Dunne moved that the Board go into Executive Session for the purpose of discussing strategy with respect to litigation as an open meeting may have a detrimental effect on the Town's litigating position, and to return to public session upon adjournment; Selectman Espinosa seconded. Roll call vote: Selectman Foresto, aye; Selectman Espinosa, aye; Selectman Dunne, aye; Chairman Crowley, aye; all ayes, 4-0.

At 7:12 PM Chairman Crowley reconvened the public session.

Public Comment: None

Appointment to Affordable Housing Committee:

The Board reviewed a resume and letter of application dated October 15, 2010, from Charlie Mascari, 5 Island Road, for a position on the Affordable Housing Committee.

Mr. Charlie Mascari introduced himself to the Board and briefly reviewed his credentials, noting he worked in the high tech industry for over 30 years, and is now working as a realtor. He noted he has been attending and participating in meetings of the Affordable Housing Committee and is well aware of its mission and accomplishments.

Selectman Dunne moved that the Board appoint Charles Mascari to the Affordable Housing Committee for a two-year term to expire June 30, 2012; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Williamsburg Condominiums – Approval of Conservation Restriction:

The Board was in receipt of a Conservation Restriction, dated and notarized January 18, 2011, conveyed from the Williamsburg Condominium Corporation to the Town of Medway, via its Conservation Commission, on property located in the Town of Medway, Massachusetts constituting approximately 1 acre, and shown as "Open Space Parcel 'A'" on a plan of land entitled, 'Plan of Land "Williamsburg Way" Definitive OSRD Development Plan in Medway, MA prepared by O'Driscoll Land Surveying Co. Date August 31, 2009, Revise Date January 28, 2010' recorded with the Norfolk County Registry of Deeds at Plan Book 598, Pages 68-74, 12 pages total.

Susy Affleck-Childs, Town Planner, briefly reviewed the property in question, an 18-unit condominium complex on West Street, with two open space parcels. Parcel A, a one-acre parcel, is the one under consideration this evening. She stated that, according to Town bylaw, the parcel can be deeded to the Town or to a land trust, or can be retained by the developer with a Conservation Restriction on it which prevents future development. In this particular case, the developer is granting a Conservation Restriction to the Town.

It was noted that Town Counsel has reviewed the document and found it to be in order.

Selectman Foresto moved that the Board approve the acceptance of the Conservation Restriction from the Williamsburg Condominium Corporation, submitted by the developer and reviewed by Town Counsel, and in accordance with the Planning and Economic Development Board's decision on the Williamsburg Open Space Residential Development; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Williamsburg Condominiums – Authorization of Chairman to Sign Local Initiative Program Application for Local Action Units:

The Board was in receipt of the following document: Local Initiative Program Application for Local Action Units, designating three (3) units of the Williamsburg Condominiums as 'affordable housing', with attachments, 7 pages total.

Ms. Affleck-Childs stated that, under the affordable housing bylaw, this development of nine (9) duplex buildings has three (3) designated units. In order to have these units considered for the Town's affordable housing percentage requirement, paperwork must be submitted notifying the Commonwealth of the additional units. It was noted that it is a standard form, and that Town Counsel approved its submission.

Selectman Foresto moved that the Medway Board of Selectmen authorize its Chairman, Dennis Crowley, to sign the Local Initiative Program Application for Local Action Units for the Williamsburg Condominium development and to submit said application to the Massachusetts Department of Housing and Community Development for certification of three dwelling units in the Williamsburg Condominium development for inclusion on the state's affordable housing inventory for Medway; Selectman Dunne seconded. Selectman Espinosa asked if there was any opposition from residents. Ms. Affleck-Childs responded that a hearing was held, but no opposition was presented. All ayes, 4-0.

Approval – Modification to Snow and Ice Management Policy – Sidewalks to be Cleared Following Snow Event:

The Board was in receipt of the following documents: (1) Town of Medway Snow and Ice Management Policy/Guide, April 2006, 8 pages; (2) proposed revisions to the snow plowing procedures with regard to sidewalks; and (3) email dialogue between Town staff, School Committee member and resident, David Palmieri.

Tom Holder, Department of Public Services Director, summarized the existing policy of clearing snow from sidewalks, noting that the policy is a guidance document, which will change from time to time. There is currently interest in amending locations where sidewalks are plowed. Mr. Holder stated there are thirty (30) miles of sidewalks in town. The Town usually tries to prioritize sidewalks near schools and the downtown business district.

Mr. Holder noted there are primary and secondary routes of sidewalk plowing, following the completion of the storm. Streets are cleared first, then the primary sidewalk routes. In the following days, the secondary route (extension of primary) is cleared, as well as removal of large amounts of snow from intersections and other cleanup tasks.

There has been a request to extend the Holliston Street route to Lovering north to Ellis Street, about one-quarter mile. Mr. Holder stated the section of Azalea and Summer would be eliminated, mostly because high school students do not necessarily walk to school, but also because it is a distance away from the highway facility to get the tractor there. He noted that the high school route serviced only a couple of streets, and is a section only 300 feet in length.

Chairman Crowley stated that the existing policy/guide was written before Mr. Holder became DPS Director. He stated it is a well-written document that occasionally needs review based on population changes. He suggested this review be done on an annual basis.

Selectman Foresto commented that some bus stops could use more attention as snow piles prohibit line of sight. He also noted that parents are driving children to bus stops, and parking along roads already narrowed by significant snow.

Selectman Espinosa expressed concern that all areas are not being addressed equally. He suggested the DPS make sure that the areas with the most walkers get the most attention. He also suggested clarification of the sidewalk snow removal process for residents would be very helpful.

Chairman Crowley asked when the changes would go into effect. Mr. Holder stated the changes have already been implemented, and the department just needs official approval.

Selectman Espinosa moved that the Board amend the Snow and Ice Management Policy/Guide pursuant to corrections proposed by the Director of Public Services, and in addition, provide a map showing continuity; Selectman Foresto seconded. Discussion; 3 ayes, 1 oppose – 3-1.

Mr. David Palmieri, 110 Holliston Street, expressed appreciation for the Town's prompt response to his concerns. He stated that his children are too young to attend school, but noted that the neighborhood children are affected by the sidewalk clearing policy. Chairman Crowley thanked him for bringing the matter to the Board's attention.

Authorization of Chairman to Execute Contract with Weston & Sampson for Water Main Engineering Design Services:

The Board was in receipt of the following document: Agreement Between Town and Contractor, dated January 19, 2011, between Weston & Sampson Engineers, Inc., and the Town of Medway, for Water Main Design Services, with attachments, 15 pages total.

Mr. Tom Holder, Director, Department of Public Services, stated this agreement sprang from the approval of a Fall Town Meeting article. He stated Town Meeting action authorized \$165,000, but that the contract is for \$129,000.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract with Weston & Sampson for water main engineering design services; Selectman Dunne seconded. Responding to a question from Selectman Dunne, Mr. Holder stated the extra money will be used for change orders if necessary, and any surplus after that will be rolled into the construction funds, if construction is approved at Town Meeting. That construction could begin in the spring of 2012. Additionally, leftover monies from water mains and water meters will be used to regrade road surfaces. **All ayes, 4-0.**

Authorization – Use of Construction Management At Risk – Middle School Repair Project:

The Board was in receipt of the following documents: (1) Resolution and vote of the Medway Board of Selectmen (to be signed), dated January 19, 2011; (2) Certification of Authority to use the Construction Management at Risk Delivery Method (to be signed), dated January 19, 2011; (3) Letter, dated January 20, 2011, from Robert Tucker, Chairman, Medway Middle School Building Committee, to Mr. Gregory W. Sullivan, Inspector General, Office of the Inspector General, Boston, MA, regarding Construction Management At Risk Application to Proceed, with attachments, to be signed and mailed following affirmative vote of the Board of Selectmen.

Mr. Bob Tucker, Chairman, Middle School Building Committee stated that the committee has evaluated two options for the middle school project, “construction management at risk” Chapter 149A of the Massachusetts General Laws (MGL) or traditional construction management (Chapter 149), noting that while both options are good, the committee has decided to use the Chapter 149A approach. He opined this allows better control over the qualification requirements for the subcontractors as well as involving the general contractor earlier so that he can become familiar with the existing facility and the renovation project.

Selectman Espinosa asked Mr. Tucker how the Board of Selectmen will know what is happening at various times during the construction process, referring to Item #4 on the resolution. Mr. Tucker responded that regular committee meetings will be held and reports can be forwarded to the Board. He further stated that a Board of Selectmen representative can attend any or all meetings. Chairman Crowley suggested that a report from the committee can be a regular agenda item for regular Board of Selectmen meetings as construction proceeds.

Selectman Espinosa read aloud the Resolution and Vote of the Medway Board of Selectman as follows; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

The Town of Medway Board of Selectmen, in its capacity as the governing body of the Town of Medway under G.L.c. 149A, §2, hereby votes to adopt, authorize and effect the following actions:

- 1. To authorize the use of the construction management at risk delivery method pursuant to G.L. ch. 149A for the construction of repairs and improvements to the Medway Middle School (the "Project");***
- 2. To authorize the Town of Medway to enter into a contract with a construction management at risk firm and to perform all its obligations in connection with the Project;***
- 3. To approve the "Plan and Procedures for Utilizing CM at Risk on the Repairs to the Medway Middle School," dated January 14, 2011 and prepared by Compass Project Management, Inc.; and***
- 4. To authorize the Medway Middle School Building Committee to act on the Board's behalf in obtaining the approval of the Massachusetts Office of the Inspector General to utilize the construction management at risk delivery method for the above-referenced repairs and improvements to the Medway Middle School.***

School Committee Report from School Committee Liaison:

Deb Trindade thanked voters who braved the snow and rain to vote in the special election on January 18, as the Middle School renovation/repair project will extend the life of the building and provide a cohesive approach to education by blending the two buildings. She thanked the Board of Selectmen and Finance Committee for their hard work in getting this matter to Town Meeting.

Ms. Trindade reported the committee will begin working on the budget, but noted they will not know what Governor Patrick's cuts will be as those will be announced on February 3. They anticipate a 1% reduction from last year's budget which will be reflected mostly in staff changes, considering student enrollments against staff retirements, and transferring staff as necessary. At this writing, class sizes are expected to remain at a good level. Ms. Trindade opined that actual cuts in personnel may result if the cuts are larger than the expected 1%, but expressed optimism that, by the time the budget is presented at the Annual Town Meeting, revenues may be announced that can restore some of the cuts. Discussion followed.

Chairman Crowley stated that although the School Committee has discussed a Needs Budget, the Board of Selectmen is expecting all departments to submit level service budgets in accordance with the Board of Selectmen's Budget Policy Statement. He noted the School Department is included in that expectation when its budget is submitted on February 7. Ms. Trindade responded that is what she has said would happen. He stated he did not agree with the expectation of a 1% reduction. Ms. Trindade responded that last year's budget incorporated funds beyond what the Town had appropriated, mostly federal stimulus and grant money, which added funds to the overall school budget. Chairman Crowley thanked her, but also wanted further clarification that it was a 1% reduction in the School's budget.

Approval – Medway Community Farm 5K Run/Walk:

The Board was in receipt of the following documents: (1) Email, dated December 19, 2010, from Heather Scott, Medway Community Farm, to Town Administrator Suzanne Kennedy, requesting approval to hold its annual 5K Run/Walk, and (2) Letter, dated January 12, 2011, from the Chief of Police to the Town Administrator, stating no issues but requesting two detail officers for safety purposes.

Selectman Foresto moved that the Board approve Medway Community Farm's request to hold a 5K Run/Walk on Mary 1, 2011, with the condition that two police details be assigned, at the expense of the Community Farm, to manage public safety for the event; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Action Items from Previous Meeting:

Per Chairman Crowley's suggestion at the last meeting, action items are now numbered.

Item #7 – Route 109 Project – Selectman Espinosa stated the group held a meeting last week to bring the committee together, develop some immediate action items, begin a dialogue to establish the group's mission and determine leadership roles. He added that the group will be meeting soon to formalize the mission statement to bring to the Board. Selectman Espinosa expressed concern that representation from the historic district had been somehow overlooked and they would like to add another person to the group who would represent that contingent. He added that another member may not be as committed as they earlier thought so there may be an opening. Chairman Crowley suggested working with the group as it is, and if, necessary, solicit another person at a later date.

Item #4 –Street Acceptances – Selectman Espinosa reported the group is trying to put together a definitive process for street acceptance. Legal fees for title search work were estimated at \$5,000 – 7,000, possibly more if numerous neighborhoods have to be researched.

Item #3 – Solid Waste Audit Report – Ms. Kennedy reported this will be an agenda item at the Board's first meeting in March.

No other updates.

Election Report:

Selectman Dunne reported that 1,099 residents participated in yesterday's Special Election, representing 12% of registered voters in Medway. This means that 88% of registered voters chose not to participate. The Medway Middle School Repair/Renovation Project was approved in the election.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-19, dated 1/20/11, submitted for approval:

11-19P	Gross Payroll Town	\$209,903.61
11-29SP	Gross Payroll School	\$739,755.27
Total		\$949,658.88

Selectman Dunne moved the Board approve Warrant #11-19, dated 1/20/11, in the amount of \$949,658.88; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Town Administrator's Report:

Ms. Kennedy reported she is working with an employee benefits consultant to shop around for health care plans, then inviting vendors to submit quotes for health insurance for municipal employees.

A Request For Proposal (RFP) for the Town's property and liability insurance is being developed. Tony Pacholec on the Finance Committee works in the insurance industry and has offered his support. He has a colleague who serves on another community's Finance Committee who will assist in drafting the RFP.

Medway Board of Selectmen invited leaders from seven area communities to a round table discussion on common issues and problems. Communities represented included Holliston, Millis, Ashland, Medfield, and Franklin. Hopkinton was unable to attend. That breakfast was held this morning, and elicited very lively and engaging conversation. There was discussion on pension reform and health care plan design at the town level. The group will meet again in the coming months. Liaisons will be appointed to gather to refine issues with respect to health care planning.

With regard to the application for the energy grant for \$115,000, the group that reviews applications was meeting this evening. Affleck-Childs is representing the Town at the meeting. January 21 is the final day for review. Ms. Kennedy thanked the Energy Committee for its hard work on this grant.

Selectmen Reports:

Selectman Foresto – No report.

Selectman Espinosa – No report.

Selectman Dunne – Reported on an email from the Chairman of Labor Trustees with regard to service learning. Selectman Dunne suggested the Town adopt a project and opined the management of the Town's website as a good project.

Chairman Crowley – Extended accolades for the peer counselor group at the high school. Chairman Crowley stated this is a great group of young people who work hard and are fun to be with. He complimented them on their efforts.

At 8:37 PM, Selectman Espinosa moved to adjourn; Selectman Foresto seconded. No discussion.

All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
December 19, 2011, 5:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman John Foresto, Selectman Dennis Crowley, Selectman Andrew Espinosa and Town Administrator Suzanne Kennedy. Selectman Richard Dunne and Selectman Glenn Trindade were absent.

Also Present: Maryjane White, Town Clerk; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services

At 5:33 PM Vice Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments: None.

Introduction – Veterans' District Director – John Givner:

Present: John Givner, Director of the MetroWest Veterans' Services District; Colonel Michael F. Matondi.

Town Administrator Suzanne Kennedy introduced the new Veterans' Services Director, Mr. John Givner, an Uxbridge native. Mr. Givner's last civilian assignment was working with disabled veterans in Fort Worth, Texas. He plans to be available by phone or email at any time, increasing the outreach to veterans to let them know what benefits are available to them.

Mr. Givner briefly reviewed his service history, noting he is glad to return to New England. His current office hours are once a week in town.

Colonel Matondi stated there are many differences in the folks coming out of active service now than in previous times and commented that he liked the idea of a Veterans' District.

Chairman Foresto welcomed Mr. Givner, stating the Board of Selectmen will do whatever it can to work with him.

Consideration – New Class 2 (Auto) Dealers Licenses – Advisory Management Group LLC d/b/a Auto Purveyors at 4H Main Street and MWAG Auto Inc. at 4F Main Street:

The Board reviewed the following information: (1) Correspondence, dated November 29, 2011, from Roger Andrey, President, Advisory Management Group LLC; (2) License application – Advisory Management Group LLC, Applicant; (3) Building Department approval for Advisory Management Group LLC; (4) Correspondence from Auction Insurance Agency regarding dealer bond for MWAG Auto Inc.; (5) License Application – MWAG Auto, Inc.; (6) Building Department approval – MWAG Auto, Inc.; and (7) Site Plan for 4 Main Street.

Roger Andrey, President, Advisory Management Group LLC; Robert Potheau, property owner.

Ms. Kennedy briefly updated the Board on the license requests, noting Mr. Malcolm Porter is the former owner of MWAG Enterprises in Medway. He is seeking to return to Main Street to reopen a business he closed nine months ago. Auto Purveyors, 4F Main Street, will be for exotic and internet auto sales.

Mr. Potheau stated he has been the owner of the property since 1977 and has launched an extensive site plan procedure to put in drainage to improve the property. The parking area is being cleaned up. He noted that the automobile business has changed a great deal in the last few years and that internet sales are significant. He has converted the property for different lease agreements, and has no intention to change anything, no additional paving, parking or signage. The building can hold six tenants and at present include a church, a prom store and a business that sell police and firefighter uniforms. The site plan has been approved. Discussion followed.

Selectman Espinosa moved that the Board approve new Class II Auto Dealer licenses for Advisory Management Group LLC d/b/a Auto Purveyors and MWAG Auto, Inc. subject to the condition that individual licenses are not issued until all application requirements are met; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Discussion – 2012 Annual Town Meeting and Election Schedule:

Present: Maryjane White, Town Clerk.

Ms. White stated the Town Charter designated that Annual Town Meeting shall be the second Monday in May and that the Town Election shall be the third Tuesday in May. This year they would be one day apart. She expressed concern that Annual Town Meeting could conceivably run more than one night which would conflict with the election. If the events are separated, the Board of Selectmen, familiar with the budget and its preparation, can be at Town Meeting to speak to those issues, and the election can happen later. Discussion followed on keeping Town Meeting on its scheduled night and rescheduling the election for a week later. It was suggested to hold the election at St. Joseph's Parish Center instead of the Middle School due to the repair project.

Ms. White agreed to contact the church to see if it is available to accommodate the election one week later than its original scheduled date.

Discussion – Citizen Petition for Special Town Meeting:

The Board reviewed the following information: (1) Proposed January 16, 2012 Special Town Meeting Calendar, and (2) Proposed (alternate) January 19, 2012 Special Town Meeting Calendar.

New calendars were distributed, as it was noted that January 16 was Martin Luther King Day, and would be a legal holiday. Ms. Kennedy stated she received a citizen petition regarding the possible purchase of property. In accordance with the Town Charter, a Special Town Meeting must be held within 45 days of the signatures being certified by the Town Clerk. Ms. Kennedy presented the Board with options. Discussion followed on the process for handling a citizen petition, wording of the petition, etc.

Ms. Kennedy clarified that the Board does not vote on this petition, but if additional articles are to be included in this Town Meeting warrant, a Board of Selectmen recommendation would be required on the additions. Selectman Crowley commented on the potential funding source for the proposed acquisition. It was noted the article's language cannot be amended as it is a citizen petition. Discussion followed.

Selectman Crowley stated he met with Town Counsel on a variety of related issues, including financing. Chairman Foresto asked if the Town would be privy to an appraisal or valuation on which it could determine a purchase price. Selectman Espinosa asked for a clarification on the procedures. It was agreed to invite Town Counsel to an upcoming meeting to discuss these questions.

Selectman Crowley moved that the Special Town Meeting be scheduled for Tuesday, January 17, 2012, at 7:30 PM; Selectman Espinosa seconded. No further discussion. All ayes, 3-0.

Discussion – Installation of Underground Utilities for Route 109:

The Board reviewed an email thread between Tom Holder, Director, Department of Public Services and Thomas Emerick, Mass DOT, dated December 13, 2011.

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services.

Ms. Kennedy stated the Mass DOT advised that underground installation of utilities for Route 109 will be eligible for 50% reimbursement of associated costs. If underground utilities are approved in the road design, that change will need to be figured into the design and cost estimates.

Mr. Holder clarified that reimbursement is confined to costs connected with pole placement. In the past, NSTAR, Comcast, Verizon, etc. had explored this, and for some reason, it did not happen. The utility will perform the final design but typically wants the money in advance, roughly \$100,000 to start. The ratepayers (people who are currently on the lists with each utility) in essence pay the cost of such a project, and, as it is usually considered a betterment, those costs are passed to the ratepayers for the duration of the bonding time period.

Mr. D'Amico stated the utilities would like to see this approved at Annual Town Meeting or at least some assurance that it will move forward. Selectman Espinosa responded that it may not happen that way as the Town and utilities are separate entities. Discussion followed.

Mr. Holder stated they brought the matter to the Board's attention, and will get more information. It was suggested that a non-binding question might be a way to get the word out to the residents.

Mr. D'Amico acknowledged the final design could be a year off as it is considered more of an aesthetics issue rather than function. They want to be shovel-ready when the construction funds do become available. Mr. Holder noted this modification could impact the Route 109 design as it would affect much of the business area. Selectman Espinosa reported that the design committee decided to go with regular utilities, but would certainly entertain the notion of underground installation, if we can fit it in, and it does not jeopardize the work that has already been done on the project.

Mr. Holder stated 58 poles are involved. Some poles are being moved for various reasons, some as much as 15 feet back from their present location. Mr. D'Amico stated this used to be a utility-borne cost, but Mass DOT now offers a reimbursement to the utilities as an incentive to get the work done in a timely fashion.

Discussion followed on scheduling of public hearing relative to the Route 109 Design Project, but as the response from Mass DOT has not been received, the hearing cannot be scheduled. It is potentially earmarked for the February-March timeframe.

The Board asked that the costs for the work be clarified, specify how that was determined, how many accounts are involved, and whether taxpayer cost is based on a percentage of that household's bill or is a fixed levy. Ms. Kennedy reminded the Board this was just to introduce the concept.

Discussion and Approval – Commitment to MAPC's Shared Regional Energy; Manager/Community Innovation Challenge Grant:

The Board reviewed the following information: (1) Email from Erin Brandt, Metropolitan Area Planning Council (MAPC), dated November 11, 2011; (2) Community Innovation Challenge Grant Guidelines; (3) Community Innovation Challenge Grant Application – Local Support Documentation Form; and (4) Proposed Letter to Pam Kocher, Executive Office for Administration & Finance, in support of MPAC Shared Regional Energy Manager application.

Ms. Kennedy updated the Board on the possibility of a shared regional energy coordinator, a position that could be utilized by the Energy Committee. Options are: (A) send a letter that Medway would like to participate, and B) that we recognize the following issues: this funding would be for MAPC to help us design the program and help us fill the position, and, in addition, help supplement funding of the position, at least in the short term. She stated she has spoken with the Town of Bellingham, which is not interested in a regional coordinator at this time. The communities of Holliston, Hopkinton and Ashland are considering it, but have indicated they may not go forward if there is a significant funding commitment. She clarified that sending the letter only indicates that we are interested.

Selectman Crowley moved that the Board authorize the Chair to execute the Local Support Documentation Form and forward letter to Pam Kocher, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Discussion and Approval – Open Meeting Law, Policy on Remote Participation:

The Board reviewed the following information: (1) Press Release from Attorney General Coakley, dated November 18, 2011; and (2) copy of M.G.L. c.30A, sec. 25(a) and (b)/29.10 Remote Participation.

Ms. Kennedy stated this provision would allow a governmental body to conduct meetings by audio or video only when physical attendance is difficult (personal illness or disability, military service, etc.). She cautioned that a quorum must still be physically present at the meeting. If approved, a notice will be sent out to all committees.

Selectman Crowley moved that the Board of Selectmen authorize remote participation in public meetings by members of all Town of Medway public bodies in accordance with the regulations set forth by the Attorney General and codified in 940 Code of Massachusetts Regulations (CMR) 29.10, effective January 3, 2012; Selectman Espinosa seconded. Chairman Foresto clarified the absent member cannot be counted as part of the quorum, yet they have a vote in any action considered at the meeting. He added that the Town is not physically set up to operate this way and must consider the costs. In order for the absent member to participate, as an example, the phone call needs to be broadcast. In the interest of gathering additional information, Selectman Crowley withdrew his motion. Ms. Kennedy will talk to Rich Boucher, Director of Information Technology, about potential costs for upgrading Sanford Hall.

Approval – New Balance Reach the Beach Relay:

The Board reviewed the following information: (1) Email, dated November 21, 2011, from Paul Dionne, Sponsorship Coordinator – Reach the Beach Relay; (2) Correspondence, dated December 2, 2011, from Police Chief Allen Tingley; and (3) outline of the Relay route.

Selectman Espinosa moved that the Board of Selectmen approve the New Balance Reach the Beach Relay through the Town of Medway on May 18-19, 2012 with the proviso that conditions set forth by Police Chief Tingley are met; Selectman Crowley seconded. No discussion. All ayes, 3-0.

Discussion – Appointment of BOS member to Energy Committee:

The Board reviewed a document entitled “Town-Wide Energy Committee – Draft language proposed by Town Counsel”, approved by the Board of Selectmen at its meeting on December 5, 2011.

Chairman Foresto stated the Board of Selectmen now has a physical seat on the committee. The membership of the committee will now be as follows: One member from the Planning and Economic Development Committee; four appointed by the Board of Selectmen, one member from the Board of Selectmen and one member from the School Committee, for a total of seven members.

Selectman Crowley moved that the Board amend Town-Wide Energy Committee Appointment Document to read that “one member will be a member of the Board of Selectmen or its appointed designee approved by the Board of Selectmen”; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Discussion followed on representation by other groups. Chairman Foresto will share elements of the discussion with Frank Faist.

Discussion – House Bill No. 00200 relative to Electoral College:

The Board reviewed a letter, dated December 2, 2011, from the Board of Selectmen in Erving, MA regarding House Bill No. 00200.

Ms. Kennedy stated she placed this matter on the agenda out of deference to the Board of Selectmen in Erving. Selectman Crowley stated he phoned Town Hall in Erving to request more information. Chairman Foresto stated residents need to know this is happening. Selectman Crowley suggested asking their elected representatives about it at the Legislative Breakfast on January 6. The Board agreed to add this topic to the breakfast agenda.

School Committee Report from School Committee Liaison:

No report.

Action Items from Previous Meeting:

There was brief discussion on including street acceptance funds into the annual budget. No other updates on Action Items.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant #12-25, dated 12/22/11, submitted for approval:

12-25S	School Bills	\$ 302,938.56
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12-25P	Gross Payroll Town	\$ 222,398.26
12-25SP	Gross Payroll School	\$ 770,875.27
	TOTAL	\$1,296,212.09

Selectman Espinosa moved to approve Warrant #12-25 as presented; Chairman Foresto seconded. No discussion. All ayes, 3-0.

Town Administrator's Report:

Ms. Kennedy announced there will be a regional forum in connection with proposed casino legislation on January 26, 2012 at 7:30 PM at the Adams Middle School, Woodland Street, in Holliston. Senator Spilka and Representative Dykema will be there to outline the legislation. She urged the Board to attend and extended the invitation to any interested residents.

Ms. Kennedy reported that Governor Patrick has signed into law the expansion of off-premises liquor license quotas for an individual business. A vendor has a limit of three such licenses. Next year a purveyor will be able to secure additional licenses, which, over the next few years, can increase incrementally as provided by the new law. She added that this law is a result of lobbying by supermarkets that sell liquor. Selectman Crowley wanted to know how many of each kind of license has currently been issued in Medway.

Selectmen's Reports:

Selectman Espinosa wondered what happens following the Oak Grove matter not being approved by the Finance Committee. Ms. Kennedy explained options, noting there will be no Board of Selectmen meeting before the Special Town Meeting Warrant closes.

Selectman Crowley asked Ms. Kennedy to notify all elected officials that they are obligated to attend all Annual Town Meetings and Special Town Meetings, and to include the specific paragraph from the Town Charter in her communication. He commented that he has noticed some of them have not been attending.

Chairman Foresto stated he met with the Town of Franklin regarding the resource management tool, School Dude. The Facilities Manager provided a good presentation. Chairman Foresto indicated Mr. Holder, DPS Director, needs to see this presentation to see if it meets his needs. The Town of Franklin indicated this tool is used by many communities, does the job effectively and is cost effective.

Selectman Crowley stated the Board needs to meet regarding a follow-up to the meeting with the School Committee regarding facilities management, and suggested some time in January. He asked Ms. Kennedy to put it on the agenda for January 3. Selectman Espinosa suggested that, without additional information, a meeting is not necessary at this time. Discussion followed.

On another matter, Ms. Kennedy will contact the School Dept. to schedule a meeting of the Budget Advisory Committee.

Chairman Foresto asked Ms. Kennedy to send the Board information relative to proposed articles she is considering adding to the Warrant for Special Town Meeting.

Approval of Minutes:

The Board reviewed draft minutes of the meeting held on November 21, 2011.

The Board postponed its review of the minutes.

**At 7:21 PM Selectman Espinosa moved to adjourn; Chairman Foresto seconded. No discussion.
All ayes, 3-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Meeting

December 5, 2011, 6:30 PM

Sanford Hall, Town Hall

155 Village Street

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant.

At 6:36 PM Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Executive Session:

At 6:33 PM Selectman Trindade moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect of the bargaining or litigating position of the public body (Exemption 3): Sewer Easement Litigation – Medway Trotter; and to return to public session immediately following executive session; Selectman Espinosa seconded. Roll call vote – All ayes, 4-0: Chairman Foresto, aye; Selectman Espinosa, aye; Selectman Crowley, aye; Selectman Trindade, aye.

At 7:05 PM Vice Chairman Foresto reconvened the public session.

Public Comments: None.

Discussion – Policy Governing Use of Blackboard Communication System:

The Board reviewed a document entitled, "Town of Medway Connect-CTY/Mass Notification System Policy and Procedure", adopted 2/1/10.

Present: Allen Tingley, Police Chief; Safety Officer Grimes; Rich Boucher, Director of Information Technology.

Town Administrator Kennedy briefly reviewed the currently policy and use of the Blackboard system. Ideally, its use was to be for announcing emergency situations, but it could also be used to improve general communications. She noted that the schools are using Constant Contact system, which may be more user-friendly. This system would provide approximately 1,900 names for connecting with families in town.

Chairman Foresto wondered why the Town would limit itself to a database with only 1,900 households. Mr. Rich Boucher emphasized that the Town could utilize its ability to email residents, as that part of the system is already set up. With the Superintendent's approval, the Town was able to add an additional list of email addresses. This way only one list needs to be managed, and hopefully the Town can use Constant

Contact when the new website goes active. It is an opt-out system; if people do not want to participate, they can unsubscribe.

Selectman Espinosa asked how residents get on the Constant Contact list, and if there are any issues with privacy concerns. Mr. Boucher responded that residents sign up for it and messages are only sent out after Town Administrator approval. A letter would be sent home to parents telling them what email group to select, or, how to opt out altogether. The system allows people to choose the specific list they want to join. Discussion followed.

Chairman Foresto asked if Constant Contact is as robust as Blackboard. Mr. Boucher responded the system was built primarily for advertising use, but it has been modified with a template to make it easier for the Town to use.

Responding to a question from Chairman Foresto regarding costs, Mr. Boucher stated that the next level of service comes at 2,500 names, but the cost is not much more.

Selectman Trindade asked if messages can be received as text to a mobile device. Mr. Boucher responded that option is available. Chief Tingley stated that option is available through Blackboard, as well. Chairman Foresto stated the key is to educate residents and let them know how things are changing.

Officer Grimes stated parental information is protected, but emails and secondary contact info is input via data entry. Mr. Boucher commented that the lists may have to be repopulated as he is not sure existing lists can be imported into the system.

Ms. Kennedy pointed out that this discussion is for informational purposes and to keep the Board of Selectmen informed. Selectman Trindade stated he would like to see a system where a weekly email announcing Town events/meetings of the week could go out. Mr. Boucher stated that part of what they are constructing is a similar structure, where people can sign up by board or department.

Budget Policy:

The Board reviewed a Draft FY13 Budget Policy.

Present – Carol Pratt, Town Accountant; Melanie Phillips, Treasurer-Collector.

Ms. Kennedy stated the Town Charter requires the Board approve a Budget Policy annually. She stated she, together with Ms. Pratt and Ms. Phillips, would like to take a conservative approach this year, which means facing some challenging issues in budget preparation. She would like to make the policy more equitable, and implement a new way of allocating revenue in the future. Primarily predicated on making revenue projections provided earlier in a 5-year forecast, the process would begin with a level funded budget. No matter what the rate of consumption of the fixed costs, they must be paid and disaggregated from the projected revenues. What remains is the true budget number for Town and School, which is then subjected to a split: Town roughly 22.9%, Schools 77.1%. Any incremental revenues would also be split that way. This

seems to be a fair way to allocate revenue. This particular model is used in Millis and Lexington, as well as at least 15-20 other communities in the MetroWest area. Ms. Kennedy said she is open to suggestions.

Chairman Foresto stated he would like to include the requirement that all budgets will be submitted via the MUNIS system. Ms. Kennedy responded that, following Leadership meeting, she conferred with Ms. Pratt and it would be to Level 3.

Referring to the last paragraph on Table 1, Selectman Trindade stated the verbiage above the picture is a little off, and should instead refer to the fact that the budget put forth at Town Meeting will be voted on by residents in attendance.

Selectman Crowley wondered if this policy would require the Schools to prepare a budget based on the numbers quoted in this policy. He stated he likes the Lexington model, but wants to take more time to look at the revenue numbers before declaring a number. Discussion followed.

Ms. Kennedy stated there is a note that stipulates that the expectation is a level funded budget, but additional information can be added in a separate document that would match up with any additional revenues that might come in via state aid or grant funds.

Ms. Melanie Phillips, Treasurer-Collector, stated the revenue projection is on target within a variance of 1%. Selectman Crowley stated the Board needs to have a discussion on revenue numbers before a specific policy is determined.

Ms. Kennedy stated the average rate of annual revenue increase is 2-3%, not more. Budgets will go up or down based on state revenues, and this is a starting point.

Selectman Espinosa suggested instead of starting low, perhaps they could project an amount they could get, say 2% above this one; then, if it comes in short, they cut from that point. It will help to demonstrate to the Schools that the Town is willing to work with them. Then, if the revenues don't come in, the cuts will be better received.

Ms. Kennedy stated a number had been presented that is deemed sufficient. Timing is critical, and the budgets need to be prepared. Selectman Espinosa theorized that once a policy document is revised, it is no longer a policy, but merely a document. Ms. Pratt stated they have a projection number that allows 2% increase in state aid, currently at \$225,000. Ms. Kennedy stated the budget policy is predicated on the fact that it is level funded, noting that once the governor's numbers are received, it can be adjusted. Discussion followed.

Ms. Kennedy stated she will send budget information out to staff and briefly reviewed the budget calendar. The Board agreed to meet at 5:30 PM on Thursday, December 8, to discuss budget strategy.

School Committee:

No report.

Approval -- One Day Liquor License – Medway Lions at Episcopal Church on December 8:

The Board reviewed the following information: (1) Application for one-day special license, dated November 29, 2011; and (2) Police Chief's Recommendation, dated December 2, 2011.

Selectman Trindade moved that the Board approve a one-day alcohol license for the Medway Lions to host a food benefit concert and wine tasting event at the Episcopal Church on December 8, 2011; Selectman Espinosa seconded. No discussion. Split Vote: 3-0-1 – Crowley, abstain.

License renewals:

The Board reviewed a list of renewing licenses.

Selectman Trindade moved that the Board approve the renewal of 2012 Board of Selectman issued licenses subject to the condition that individual licenses are not issued until all renewal requirements are met; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Selectman Trindade clarified for viewers that if a license holder has not paid taxes or fees, their license will be held until all outstanding bills are resolved.

Energy Committee:

Ms. Kennedy reported to the Board that the Energy Committee has requested term limits, even though they are an ad hoc committee. The original recommendation from Town Counsel was based on a 7-member committee, not 9 members. It was noted that it is not common to define term lengths for an ad hoc committee associated with a specific project. Typically, assigned terms are associated with statutory committees.

Chairman Foresto stated he spoke with Frank Faist, Energy Committee Chair, that one member is resigning, leaving six members. He is comfortable with a 7-member committee, and thinks it would be a good idea to add a member from the School Committee. Mr. Faist had also indicated he was happy with the way the committee was put together.

Selectman Trindade moved the Board accept the committee composition and terms as prepared by Town Counsel for the Town Wide Energy Committee; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Discussion – Calendar for February Special Town Meeting:

The Board reviewed a Draft Calendar for February 13, 2012 Special Town Meeting.

Selectman Crowley stated he could see no reason for hold a Special Town Meeting in February. Town Administrator Kennedy confirmed there are no outstanding issues.

Action Items:

Route 109 Design Committee – Ms. Kennedy stated she had received notification from Arthur Frost, Director of Region 4, stating that the \$400,000 earmarked design money can be requested to be accessed.

American Legion Building – Selectman Trindade indicated he is still working on this.

Regarding the Power Plant revaluation , there is a meeting tomorrow.

Ms. Kennedy stated she has not heard anything regarding the Kearsage proposal.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant #12-23, dated 12/8/11, submitted for approval:
\$1,393,141.70

12-23S	School Bills	\$386,542.41
12-23P	Gross Payroll Town	\$273,723.47
12-23SP	Gross Payroll School	\$732,875.82
	TOTAL	\$1,393,141.70

Selectman Trindade moved the Board approve Warrant #12-23 as read; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Town Administrator's Report:

Ms. Kennedy announced that staff member Bob Malmberg died suddenly while working at the Recycling Center on Saturday and expressed condolences to the family. Calling hours will be Wednesday from 2-4Pm and 7-9 PM. The funeral service will be held on Thursday, December 8, 2011 at 11 AM at the Crowley Funeral Home. The burial will be at Evergreen Cemetery in West Medway.

Ms. Kennedy announced that she has been working with staff to develop a brochure of local assistance programs to help residents who may be dealing with life challenges. The brochure will be inserted into the next tax bill which is going out next week.

A mockup of the front page of the new Town website was presented.

Ms. Kennedy announced she had received a copy of a letter addressed to Selectman Dunne from new State Representative John Fernandes. She encouraged the Board to invite him to the Legislative Breakfast scheduled for January 6, 2012.

Selectmen's Reports:

Selectman Espinosa had no report.

Selectman Trindade announced that 600 young people are playing basketball in various programs in the community.

Selectman Crowley expressed thoughts on the passing of Robert Malmberg, noting that Bob enjoyed the Town of Medway and his job immensely. He was a very dedicated individual, a military veteran and a true gentleman. The community will miss him. Selectman Crowley added that Mr. Malmberg was very active in the VFW, even at age 81.

Chairman Foresto had no report.

Approval – Minutes:

The Board reviewed draft minutes of the meeting held on November 21, 2011.

The Board opted to postpone this matter until the next meeting.

**At 8:07 PM Selectman Trindade moved to adjourn; Chairman Foresto seconded. No discussion.
All ayes, 4-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Workshop

December 6, 2011, 6:30 PM

Medway Senior Center

76 Oakland Street

MINUTES

Present: Chairman John Foresto, Vice Chairman Glenn Trindade, Selectmen Dennis Crowley and Andrew Espinosa, and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

The Medway Board of Selectmen was called to order at 6:37 PM by Mr. Foresto on December 6th, 2011 at Medway Town Hall, Sanford Hall. The Board stated the Pledge of Allegiance

Skip Sansoucy – Value Utility Proposal

The Board reviewed the following documents: Personal Property Account Detail Report by Tax Code Dated 12/6/11 for Tax Codes 505 and 506; Personal Property Account Detail Report by Tax Code Dated 12/6/11 for Tax Codes 508 and 508; Personal Property Valuation Report of Tax Code Accounts 504, 505, 506, and 508.

Mr. Sansoucy (of George E. Sansoucy, P.E., LLC) and Mr. Naser, Principal Assessor, were present to talk to the Medway Board of Selectmen about the value utility proposal. The valuation utility proposal is to revalue Medway's utilities based on the property value of the land on which the power lines are located. Mr. Sansoucy stated that over the last 35-50 years the State of Massachusetts has valued these properties at book value (original cost plus depreciation). Mr. Sansoucy stated the Town should not value property based upon the value from 20 years ago.

Providing examples, Mr. Sansoucy stated that in 2004 he helped the City of Boston revise its utility values. He also assisted with the revaluation of utilities in 1990, both in towns and the state, and Verizon (values on hand). Mr. Sansoucy stated that Boston Electric/Boston Edison saw its values essentially double after revaluation, which led to the company negotiating a settlement in 2002.

Mr. Sansoucy stated that Boston Gas underwent the same valuation process at the time it was purchased by National Grid. The company appealed to go back to the book value. The local court and State Supreme Court upheld the rulings. Mr. Sansoucy said the state of Massachusetts can be a fair market value state where poles, wires, utility can be valued at fair market value, which is why towns and cities are moving towards this option.

The Board asked why other towns do not move forward with this type of plan. It was discussed that it was expensive, towns want to make sure there is tracking, and a method to be created for them to do it themselves to keep the long-term cost of the method low. A lot of communities do not have the budget to complete this type of valuation. They also do not want to risk intimidation by the utilities, e.g. by threatening to layoff staff. There is also a time commitment that not all towns are ready to take on.

Current Towns Pursuing/Timelines:

This year, Mr. Sansoucy will be working on the town of Somerset. He said the utility companies were threatening to get regulations in place that would prevent them from ever owing more than book value, but they never brought an appraiser in to back up their claims. National Grid is set to re-file appeal in

Boston and will keep re-filing for the fear factor, though the city has not had a problem with its gas court cases. The city of Springfield is looking to revalue its utilities, but they are encountering budgeting constraints. Newton was able to revalue its utilities and was able to handle it internally with Verizon (they were a leader in the Verizon case).

Methods of Value and Reconciling

Mr. Sansoucy stated the utility property has matured, but the book value is going down (it has an accelerated form of depreciation). He does the sale, income, and costs – will reconcile all three, the cost is high, sales are lowest, income is the middle. He talked about how the town could reconcile; they can reconcile to the high side with new communities and with mature communities (which has a lot of replacement work) has less new growth but has constant growth with replacements.

Property

Mr. Naser clarified that the definition of personal property is anything that is movable, not attached or affixed to property or land. Real property is land or structures, firmly attached. Each state is different with what Real and Personal is. Poles and wires are not Real property

Hand Outs (yellow and green sheets)

Mr. Naser recommended the Board refer to the yellow sheet for informational purposes. Each personal property account has personal codes numbered 504-508. NStar mails a letter every year to the Assessors Dept. to request the book value be put on record (Verizon is shown as category 505 on the green hand out). There are proposal to Bay State Gas, Verizon, NStar (\$26 million), New England power (\$57k), wireless (\$44,120k)

Mr. Naser states that the town land is \$5 million and \$32 million of first three vendors are Personal property. Ms. Kennedy stated that the revaluation will not bring in new money, but will shift money and will afford tax relief. A discussion ensued about how much relief the average tax payer could expect. It was \$50 per year. The easements could be picked up by the Town and would be billed to the Town according to book value and amortized to 0 (was bought in teens or 20s). On books, now have millions in value. They will map the easements and value using land schedule of town and give property values. Value of land, real-estate land, not part of personal property. Easement worth more than power lines. It is best to refer to yellow sheet as it has the newest numbers; green is summer numbers (older).

Comcast is not on the list as they are a different tax code, they are a 501 (or LLC or something else), they are not a 504, 505 - they are taxed locally. The Sprint cage in the Verizon building is DOR (book value is written down). The 308 private accounts in Medway are required to report values (unless we spend time and money to value to make sure right). Verizon online, LLC, had 7 million value in fiscal 2009 – they had all of their boxes stored in Medway from around the state of Massachusetts – though now it is 300k of value because they state they sent the boxes to the state of Pennsylvania (personal property can move and cause up and down fluctuation).

Court Cases:

Selectman Crowley wonders if it has it been challenged in courts, and M. Sansoucy indicates is has and he has won the court cases (VT, ME, CT). A test case for easements could be where half mile wide area of power lines is in Somerset. ME, VT, NY, MI, etc has valued easements and been sustained in court, though has not been done in MA yet, it is essentially zero

Easements/Assets/Growth:

New growth is not only in easement. Lynn (as an example) has looked at work and said and much of property has depreciated to 0 (only portion of property) any property to 0 is not in hand out. Lynn asked for break out (50 million in gas, and 13 million is new growth). This has not been challenged yet.

Mr. Foresto inquires on capital assets placed on person's home that has a pole. With electric it goes right to meter (included in to meter), Verizon value for state - it is to the premises. The home owner would own the box.

Concerns about new growth because of the revalue of Medway jets, though Medway jets has had new growth (Jets is different as not picking up the property -only went on books as new value). The town should look at other items in town (poles, boxes, etc), as we currently only show the book value which the company provided (it is a 25 million in valuation)

There are numerous easements: power lines on Route 109 are easements (can't build there, etc), Bellingham, Medway Jets. Easements cross peoples land and Mr. Naser will take the value off of peoples land. The town would trade easement in teens and twenties, don't depreciate land, but want money back – depreciates to 0.

Home owners can go to court (statute of limitations on easements) when they receive their tax bill, as this is when the clock starts ticking. The owner has until the tax bill is due to do abatement/appeal. Lynn has not appealed in the two years (can appeal with each year's tax bill). Somerset has not appealed (were conservative) though values will go up, so may appeal that.

Budgeting:

Ms. Kennedy had this proposal last March, and this plan is already budgeted to the town. Wanted to have this meeting to talk about the presentation before the Board voted. A total of 48k was budgeted for plan. This does not buy the computer systems, reporting with market sale/income/cost (system so that each year the program can be updated) and captures new growth on the triennial (3 years). This would help with maps, easements, and questions from homeowners of "why you taking off my land" the town can refer to computer program to view easements and can answer the land owner. The town would not need to spend more on appraisals, etc if don't go on the cheap (and get computer program)

Easements:

Ms. Kennedy wants to follow Boston case and want to know easements. The easements are the lowest risk of all (lowest risk of taxability) - easement values are lows (when utilities buy easement pay far more than fee). When the land is revalued, we can revalue the easements. The easement program can be managed by the town, and can be maintained as need be. Chairman Foresto indicates that this is shifting money off the land owner, but does not bring money into town. Mr. Sansoucy informs the board they could get 5-10 million in revenue with easements of land (sleeper in the proposal is the land):

- Taxable value
 - 75k tax breaks in minimum
- 137k an acre per easement

Mr. Naser will look at the wetlands (to gain true value of land), and we know there are easements on roads, width of corridors, etc. They will map to get acres in town for easements (to get money in revenues). This can be GIS layered

Litigation:

Litigation exposure/risk will only be there if there is a lot of moving up and down scale with the figures, i.e. if moving too many numbers, percentages. If Medway does this, it gives us a defensible position - attorneys, and our research will give utility companies something to look at to determine if they want to try to challenge us. There are not a lot of towns the size of Medway looking into this, the pros can be the utility companies cannot be bothered and will not think become a trench, cons utility companies make an example out of the town. This is a win for Medway – saves tax payers' money and/or bring in revenue to the town. By planning this project for 2014, it also lets other towns work through the system)

Algonquin:

This is undervalued; the state value was a settlement agreement in the 1980s. Gas mains in the state (high pressured) 50-100% undervalued statewide, Mr. Sansoucy tried to increase this, and then they appealed. They lost Agawam – as we did not have a correct venue (need DOR value, then ATB). The DOR does not have enough money for entering values (need statewide model to value gas mains), it is recommended down the road for groups of communities to get together to appeal value of gas mains.

- Bellingham, Agawam, Somerset, Dighton -> get enough cities together to go after getting a program together to present how to revalue mains

Future Decisions:

This, if agreed upon, should be ready to roll out in 2014 (present it in 2013), and the Board would like to be involved on the decision making with Mr. Naser and Mr. Sansoucy, so they are prepared financially to take this route (also in case litigation occurs). The town council wants to be conservative in their current approach and wants to do an RFP (short cycle RFP), and to set up our form of contract. – can follow the Worcester RFP. This would need to be drafted and ready for first quarter 2012.

Overlay:

Concerns for the town if court cases or litigation occurs, though the board members state there is overlay set aside for each year's budget (approximately 325k). The Board understands risk of litigation, but states it is worth the perusal with how much money is sitting out there

Mr. Trindade – we will go forward with this presentation request and put out the Worcester RFP for review to start working this project within the next month

Motion to close by Mr. Foresto at 8:01pm; Mr. Crowley seconds the motion; All ayes.

Meeting adjourned.

Board of Selectmen's Meeting

December 8th, 2011, 5:30 PM

Sanford Hall, Town Hall

155 Village Street

Present: Chairman John Foresto, Selectmen Glenn Trindade, Selectmen Dennis Crowley, Selectmen Andrew Espinosa. Selectmen Richard Dunne absent.

Also present: Town Administrator Suzanne Kennedy, Carol Pratt and Melanie Phillips

At 5:35 PM meeting called to order by Chairman Foresto and board recited the pledge of allegiance

Discussion – FY13 Budget Policy

The Board reviewed the following information: Town of Medway General Fund – Fiscal Team 5-Year Projections FY13 – FY17; Projected Fiscal Year 2013 Revenue Allocation Model; Town of Medway FY13 – Revenue Assumptions

Town Accountant Carol Pratt indicated to the Board that that Town of Medway has accounted for new growth, certified in September, which will reduce the projected deficit to \$246,382. The Board reviewed the Town's five-year budget projection provided by the Town Accountant.

Ms. Pratt discussed the five-year projection handout which showed what the Town deficit is based on, and noted that it is hard to pin down an exact budget number for the school. She stated she used the numbers provided by the school and added a 2% increase across the board, and included steps and lanes. Non salary items (utility, maintenance, etc) were also increased by 2%. The hand out showed the school budget with a \$532,000 increase over last year. She also noted that the 5-Year Projection is not the same as the Revenue Allocation Model.

Ms. Pratt discussed the Revenue Allocation Model. She stated the total revenue projection is \$42,677,528. This would cover the entire projected gap (except for \$21,539) She stated she could find a place for this in the Town's fixed costs. Ms. Pratt also stated that \$23,908,602 is slated for the School Department, which is \$100,000 short of the five- year budget projection (using the of FY2012 funding plus 77.1% of incremental revenue)

The Board discussed how the revenue percentage of 77.1 was determined. Ms. Pratt stated that the revenue changes from year to year, which also causes changes in the other Town numbers.

The Board discussed its responsibility to put a budget together, and wanted to ensure that all the budget items are accounted for and submitted correctly. The total process could take between four and five months, and this Selectmen's meeting is a starting point for the FY2013 budgeting process.

Selectman Crowley said the Board should plan to discuss what operational reserve revenues should be used for. The Board agreed and noted that when the economy is solid enough, this reserve should be dissolved.

Chairman Foresto said he is set with the Town's revenue numbers and with the 77.1% for the Schools. The School Dept. would receive this percentage of all incremental revenue, as well. This revenue sharing model will be referred to as the Medway model (not the Lexington model on which it is based), and Board should make a motion on the split: 77.1% school and 22.9% for the Town.

Selectman Crowley moved that the Medway revenue policy for Fiscal Year 2013 reflect revenue less fixed costs, and that the balance be distributed 77.1% to the Schools and 22.9% to the Town. Chairman Foresto added a friendly amendment that the budget would be submitted in Munis. Mr. Espinosa seconded and it was so voted: 3 to 1. Mr. Trindade opposed.

At 6:35 PM, a motion to adjourn was made by Chairman Foresto; Mr. Espinosa seconded the motion, and it was unanimously voted.

1 **Board of Selectmen's Meeting**
2 **February 1, 2011, 8:00 AM**
3 **Sanford Hall, Town Hall**
4 **155 Village Street**
5

6 **Present: Chairman Dennis Crowley, Selectman John Foresto, Selectman Glenn Trindade, Selectman**
7 **Andrew Espinosa, Selectman Richard Dunne and Town Administrator Suzanne Kennedy.**

8 Also present: Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director,
9 Department of Public Services.

10 At 8:00 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of
11 Allegiance.

12 **Public Comment:** None

13 **Route 109 Design Contract:**

14 Town Administrator Suzanne Kennedy reported that the Town received two copies of an agreement
15 between the Town and the Massachusetts Department of Transportation (DOT) authorizing the Town to
16 go forward with design of the Route 109 road project. She stated the agreement has been reviewed by
17 Town Counsel.

18 Mr. Tom Holder, Director, Department of Public Services, stated the department is prepared to proceed
19 with Greenman-Pedersen, Inc. for design services, striving to get a 25% design completed to get into
20 the TIP approval process. If the project is approved for TIP support, this would provide additional
21 funding for the project. It was noted that TIP funding covers specific costs associated with a project.
22 Discussion followed regarding infrastructure, water/sewer lines, scope of the project, issues posed by
23 the Historic Commission, and \$400,000 already approved. Selectman Espinosa stated there will be a
24 kick-off meeting of the committee, and interested parties from boards and committees are welcome to
25 share their ideas.

26 **Selectman Trindade moved that the Board authorize the Chairman to execute a contract between the**
27 **Massachusetts Department of Transportation and the Town of Medway to move forward with design**
28 **services in upgrading the road network along Route 109; Selectman Dunne seconded. No discussion.**
29 **All ayes – 5-0.**

30 Discussion followed.

31 **Library Regionalization:**

32 Responding to a question from Chairman Crowley, Ms. Kennedy stated that Selectman Espinosa and
33 Selectman Dunne would be attending a meeting on regionalization in Franklin. It was noted that the

Library Board of Trustees is scheduled to report to the Board at the Selectmen's meeting on February 7.
Discussion followed.

Budgets Due from Departments:

It was noted that all departments are to submit budget information no later than February 7. Ms. Kennedy stated she would prefer to distribute it via email but hard copy can be requested. Regarding state monies, she stated that it is too early in the legislative session to have an idea of what that funding might be, and suggested that the Board save consideration of that facet until much closer to Town Meeting. Hopefully more information will be available in a couple months.

Chairman Crowley asked if the School Committee has submitted a budget that adheres to the Board's budget policy. Ms. Kennedy responded that, to her knowledge, the budget information has not been entered into the MUNIS network yet. Discussion followed.

Snow and Ice Removal:

The Board commended the Department of Public Services for prompt and efficient snow removal efforts. Chairman Crowley stated that he has heard numerous complaints in past years, but this year there have been none.

At 8:40 AM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes – 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
February 22, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Glenn Trindade (arrived at 7:12), Selectman Andrew Espinosa, Selectman Richard Dunne and Town Administrator Suzanne Kennedy.

At 7:05 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Action Items from Previous Meetings:

Chairman Crowley requested that the Town's appeal on its water consumption permit be added to the list as a reminder to the Board to keep track of it.

No other updates.

Presentation – Route 109 Design Committee:

The Board was in receipt of a Critical Path Timeline, a Memorandum from Geoffrey J. Howie, P.E., Greenman-Pedersen, Inc., to Medway Department of Public Services, dated September 1, 2010.

Mr. Paul Yorkis, Chairman, acknowledged those individuals actively participating on the committee by reading their names aloud. He stated the group met on February 16 and will be meeting again on March 2. Its task at this time is to identify the scope of design issues, which will be used by the design company to develop alternate design options. He noted all the designs will be made public for resident input.

Mr. Yorkis reported that Mr. Matt Buckley, Chairman of the Design Review Committee, is not an official member of this committee and asked that the Board appointment as such to bring the number of voting members up to seven.

Selectman Espinosa moved that the Board add Matthew Buckley to the Route 109 Committee; Selectman Dunne seconded. Selectman Foresto clarified that this action is not typical; usually the Board requests a resume of experience as well as an interview. All ayes, 4-0. [Selectman Trindade was absent for this vote.]

Mr. Yorkis asked if the group could possibly get some secretarial support. He stated the project has a lot of complex issues, and it is difficult for a committee member to listen and participate while taking notes.

There was general discussion regarding the project timeline, funding sources, impact of sewer replacement on project, and a suggestion that the group meet with the Thayer Committee to discuss plans for ingress and egress for that area. It was emphasized that road projects are very complicated and take a long time to complete. Selectman Espinosa will investigate the status of the Town's Notice to Proceed.

The Board thanked Mr. Yorkis for his report and the committee for its work thus far.

School Committee Report from School Committee Liaison: School Committee Report from School Committee Liaison:

Ms. Deb Trindade School Committee Liaison, briefly updated the Board on recent discussions, in particular, class sizes due to parent concerns, team teaching and shifting students, activity and athletic fees, potential of online fee collection, etc. She stated she is trying to set up a meeting date for the School Committee to meet with the Board of Selectmen. Ms. Trindade distributed copies of MUNIS Account information relative to Medway Public Schools

Chairman Crowley stated the Board received the budget from the School Committee, both the initial one and the revised one. No public comment has been made yet. At this time he allowed each selectman, beginning with Selectman Espinosa on his right, to speak on the budget and ask questions.

Selectman Espinosa stated it is not the Board's responsibility to tell the schools what to do with the details, but it is part of their job to oversee financial responsibility of the Town as a whole. He expressed disappointment that the school budget did not adhere to the budget policy of the Board of Selectmen as it does not reflect the target amount specified by the Board in its FY12 Budget Policy Statement. Further, he wondered what the "undefined" category is all about, and expressed concern that residents have the right to see specific budget information. Ms. Trindade responded that information will be available as it gets closer to Town Meeting. Selectman Espinosa asked if the Board will get detailed information so it can be presented adequately to residents at Town Meeting.

Ms. Trindade stated her understanding is that the Board has a right to set a policy for requesting a budget number based on a portion of revenue, and they developed a budget based on their initial needs, a baseline budget. When it became evident that a large discrepancy/difference existed, they now know cuts will have to be made and may entertain input regarding those adjustments.

Selectman Espinosa stated the Board has a calendar to meet as well, and this submission did not meet policy. He suggested the Board reject the submission because of the way it was presented and the assumptions that were made, i.e., is the bulk of the deficit going to be people? He reminded Ms. Trindade of conversations in 2009 and 2010 during contract negotiations when the Board felt sufficient revenues were not going to exist, and that the School Committee should avoid a base wage increase in the budget. Selectman Espinosa read from minutes of 2009 that the School Committee's response to these concerns was "we'll deal with that when the time comes." He concluded his remarks by stating he has always been a strong advocate for the schools, and he is upset with the way the School Committee has behaved.

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When Chairman Crowley asked Selectman Trindade for his comments, Selectman Trindade asked if he could comment at the end. Chairman Crowley responded that Selectman Trindade is passing his opportunity to speak, as they were going around the table. Discussion followed.

Selectman Foresto opted not to speak, but wondered why there is such an issue about speaking in order.

Selectman Dunne stated he has looked at the budget and impact statement. He stated that \$226,000 did not show up in the budget that was submitted, and wondered where it was. He reminded Ms. Trindade that the Board has done all it could to meet the needs budgets of the past couple years, and that he would like to see a needs budget using the suggested budget figure. Selectman Dunne stated he agrees with Selectman Espinosa that this particular budget should be rejected, acknowledging that it is early in the process.

Ms. Trindade stated circuit breaker funds were not used in the FY11 needs budget to pay for Special Education services; these funds were reserved and incorporated into the FY12 budget. Ms. Trindade stated that other funding sources eventually reduce the School Department's request for Town allocated funds. Every year the overall budget includes all funding, Town and otherwise, which includes grants, tuitions and Chapter 70 monies. Selectman Dunne wondered why the budget was higher when there is a projected enrollment decrease of 58 students.

Chairman Crowley stated the intent of this discussion was not to get into the minutiae of the budget but just to ask questions. Eventually all issues need to be aired. He stated the Board asked specific things of the School Committee, which were not submitted. Ms. Trindade stated she has requested the missing items herself and will look into it. Responding to the Chairman's question regarding budget books, Ms. Trindade stated they were supposed to be sent over.

Chairman Crowley, referring to a document on the school website, stated he has no idea what the school budget really is as there are differing ones floating around, and information presented in one does not match anything in another.

Chairman Crowley related a scenario of getting JOBS grant money that was set aside to build up resources for this year, yet expenses were taken out of that money. Ms. Trindade stated the money was used to retain teaching positions and fund Special Education tuition. She indicated that the grant money had to be spent during that year, and that the same amount of money was held in the circuit breaker account. Chairman Crowley suggested that the Chapter 70 and circuit breaker funds were spent, and the grant money moved into the circuit breaker account, and that this type of action inflates the budget.

Further, Chairman Crowley asked how budget can increase when student population goes down, noting a 4.5% inflation in costs when students went down by 254 in number. He asked for data on how other communities handle this. He also asked that the school website update the per student spending information.

Selectman Trindade respectfully asked that, if such a long session is anticipated, like tonight's discussion on the budget, that it should be placed on the agenda, instead of simply a report from a representative. Chairman Crowley responded that the representative opened her report by mentioning the budget, which opened the door to questions. He reminded the Board that they have been trying to get a joint meeting set up and that hasn't happened yet. Selectman Foresto agreed with Selectman Trindade, noting that more members of the School Committee could have been invited.

Ms. Trindade defended her position by stating that the budget is an ongoing topic at School Committee meetings, so it would naturally fall into her reports to the Board. She stated they have repeatedly talked about paring down the budget by \$500,000, but reiterated her belief that specific cuts cannot be identified at this time. She stated it creates a difficult situation to announce cuts, and later have funds become available. Ms. Trindade stated she looks forward to the upcoming public hearing to gather public input and ideas.

Selectman Espinosa stated a recent news article stated the School Committee anticipated 24 positions being eliminated, yet the budget doesn't reflect that. He wondered why information was made available to the press and not to the Board.

Selectman Dunne stated that 56% of the Town's revenue goes to the schools and that the Board has a strong vested interest as to how those funds are utilized.

Selectman Espinosa moved that the Board request the Chairman to write letter to the School Committee stating the Board of Selectmen's budget policy was not met, and requesting they provide a budget that meets that policy; Selectman Dunne seconded. Chairman Crowley posed a friendly amendment that the letter include any questions from the Board, submitted to the Town Administrator. Discussion followed. Friendly amendment was withdrawn. Selectman Dunne stated he would like to see what he called a "basement budget" instead of a "ceiling budget." Selectman Espinosa stated the submitted budget provides no avenue to consider impact on future years' budgets. Chairman Crowley requested that the new budget show all sources of funding. All ayes, 5-0.

Regarding a revised budget, Selectman Trindade asked Ms. Trindade to simply label identifiable cuts as a starting point with the acknowledgement that those cuts could change as the budget process continues.

Chairman Crowley acknowledged that many volunteers serve on committees, including the School Committee, and that their service is appreciated.

Approval – Hyperlink Policy:

The Board was in receipt of a proposed Hyperlink Policy, undated.

Present: Rich Boucher , Director, Information Systems .

Town Administrator Suzanne Kennedy briefly updated the Board on how this policy came about, noting her office fielded several requests from groups to have events and information posted online. She put together a committee to develop a policy.

Selectman Foresto moved that the Board approve the Hyperlink Policy as outlined in the draft presented; Selectman Trindade seconded. Selectman Foresto stated the policy was prepared by a number of people, evaluating similar policies around the country. All ayes, 5-0.

Authorization of Chairman to Execute Contract Amendment – Knight, Bagge & Anderson – Design Services (Middle School):

The Board was in receipt of Attachment F (Amendment No. 1) to the contract between the Town of Medway and Knight, Bagge & Anderson for designer services, effective February 3, 2011, with Certificate of Authority and Certificates of Insurance.

Mr. Bob Tucker stated the firm of Knight, Bagge & Anderson are the architects for the middle school repair project, and the initial contract needs to be extended via this amendment. He stated all numbers remain the same, and that the only change refers to the front entry. This involves an approval from MSBA via the funding agreement. Responding to a question from Selectman Dunne, he stated MSBA reimbursement for a portion of the costs associated with the front entry is unclear.

Selectman Trindade moved that the Board authorize the Chairman to execute Amendment No. 1 to the contract with Knight, Bagge & Anderson for design services related to the Middle School renovation project; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Authorization of Chairman to Execute Contract Amendment – Compass Project Management – Owner's Project Manager (Middle School):

The Board was in receipt of Amendment No. 1 to the contract between the Town of Medway and Compass Project Management as Owner's Project Manager, effective February 3, 2011, with Certificate of Authority and Certificates of Insurance.

Mr. Bob Tucker stated that Compass Project Management will provide project management services for the middle school repair project, and the initial contract needs to be extended via this amendment. He stated all numbers remain the same as in the original contract.

Selectman Dunne moved that the Board authorize the Chairman to execute Amendment No. 1 to the contract with Compass Project Management for Owner's Project Manager Services related to the Middle School renovation project; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Presentation – Capital Improvement Planning Committee:

The Board was in receipt of the following information: (1) FY2012 Capital Recommendation and 5-year Capital Plan, dated February 7, 2011, (2) Capital Improvement Planning Committee Annual Report, and (3) Capital Improvement Planning Process.

Present: Tom Anderson, Chairman, James Gillingham, and Richard Briggs.

Mr. Tom Anderson briefly updated the board on the projects potentially funded for 2012, noting additional projects. He noted the final dollar amount is slightly different from the number submitted in

the committee's report on February 11. The list and corresponding dollar figure on the Town Meeting Warrant is the correct one.

Responding to a question from Selectman Dunne, Mr. Anderson stated the committee has many more potential projects than available funds. Road repairs in particular are costly. Town Administrator Suzanne Kennedy commented that Chapter 90 funds from the state may help, but that figure is an unknown.

Referring to Warrant Article 4 involving water main work on Main Street, Selectman Trindade asked if the committee knows how much is earmarked for West Main Street and Route 109 projects individually. Mr. Anderson stated the two projects are combined. Mr. Trindade asked if they can be divided, and wondered if the impact on water rates from each project is trackable, suggesting the Route 109 project could be put off until funding is clearer. Discussion followed.

Responding to a question from Selectman Trindade, Mr. Anderson stated the committee's report would be put on the Town's website. Mr. Trindade reminded residents that, in difficult economic times, many improvements have been made via prudent spending decisions.

Discussion followed regarding anticipated information technology upgrades including completion of the Wide Area Network (WAN) and computer replacements, firearms for police officers, maintenance schedules for vehicles, potential repairs, etc. Mr. Anderson stated that a formal maintenance schedule does not exist at present though the committee would like to develop one. He added they will revisit the committee's five-year plan, and considering potential debt service costs, may push some projects out a little farther to spread out the expense.

Town Administrator Suzanne Kennedy stated that the Board of Selectman still has the opportunity to accept or remove anything from the warrant. The list of potential projects can be amended.

Chairman Crowley asked about replacing an ambulance, and requested specific pricing on the vehicle, the EMS budget and how such a purchase would be finance. Mr. Anderson replied that purchase would involve a cash flow analysis, and Ms. Kennedy added that other variables in the EMS budget would impact it. Regarding ALS, Mr. Gillingham stated a private service in Medway provides ALS service which requires all staff to be certified paramedics instead of Emergency Medical Technicians (EMT) so the committee looked at regular EMT service.

Selectman Dunne suggested the water study, an unfunded mandate from the EPA, should be delayed. Ms. Anderson responded that the committee has seen the presentation and is not enthused about earmarking \$500,000 toward the study. Ms. Kennedy stated there is an upcoming workshop focusing on the water study.

Selectman Trindade commended the committee for their work. He encouraged residents to access the report on the Town website to familiarize themselves with potential projects.

Chairman Crowley echoed Selectman Trindade's remarks and thanked the committee for superb work, acknowledging that work will be appreciated in the lean years ahead.

Appointments to Medway 300 Committee:

The Board was in receipt an email from Town Counsel, dated February 15, 2011, regarding the formation of a special committee, list of potential members of said committee, and list of suggested souvenir items commemorating the celebration.

Selectman Dunne moved that the Board make official appointments of the members of the Medway 300 Executive Committee -- Dennis Crowley, John Foresto, Carole Bernstein, Steven Richardson, John Kennedy, Robert Parella and Jack Robinson for the purpose of both planning activities to celebrate the 300th anniversary of the Town's incorporation as well as expend funds allocated by the Town for said celebration; Selectman Trindade seconded. Town Administrator Suzanne Kennedy stated all funds will be under the control of the Town Accountant. Split vote – 3 ayes, 2 abstentions, 3-0-2; ayes, Foresto, Espinosa, Dunne; abstain, Crowley and Foresto.

Appointments to Memorial Committee:

The Board was in receipt of a Memo, dated January 4, 2011, from Allison Potter to Town Administrator Suzanne Kennedy, listing current membership of the Memorial Committee along with list of proposed new members.

Selectman Dunne moved that the Board approve expansion of the Memorial Committee from 9 to 12 members as well as the reappointment of Peter Ciolek and appointments of Robert Saleski, Paul Trufant, Richard Parella, John Larney and Douglas Wahl to the Memorial Committee – all for terms to expire on June 30, 2012; Selectman Foresto seconded. No discussion. All ayes – 5-0.

Approval – One Day Liquor License – St. Joseph's Parish:

The Board reviewed the following: Application, dated February 14, 2011, for one-day liquor license by St. Joseph's Parish for event to be held on February 27, 2011 at 145 Holliston Street, with notice of tax-exempt status included.

Selectman Trindade moved that the Board approve the application by St. Joseph's Parish for a special one-day liquor license for February 27, 2011; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Approval -- New Balance "Reach the Beach" Relay – May 20 & 21:

The Board reviewed the following information: (1) Email from Race Sponsorship Coordinator, Paul Dionne, dated January 17, 2011, (2) Memo, dated February 1, 2011, from Police Chief Tingley, noting requirements and support of event, and (3) Background information for the event.

Chairman Crowley paraphrased from the Police Chief's letter, noting that a police detail would not be required as the participants would be fairly well spread apart.

Selectman Trindade moved that the Board approve the request by New Balance to allow its "Reach the Beach" Relay to travel through Medway on Friday, May 20, 2011; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Approval – Emergency Transfer – Veterans Services:

The Board reviewed an Emergency Transfer Request, dated January 27, 2011, requesting a transfer of \$11,000.

Town Administrator Suzanne Kennedy stated that the Veterans Agent is retired and could not attend tonight due to a health issue. He would be able to speak to specific needs. Ms. Kennedy noted that the account is running out of money.

Selectman Foresto asked about reimbursement from the state. Ms. Kennedy replied that the Town receives 75% of its expenses in veterans' affairs. She noted that there will be additional enrollees for many years as they are spouses of veterans, and it's difficult to project caseloads. The Board expressed concern that emergency funds requests occur every year and wondered if there was a way to budget better. The Board asked for an accounting of general expenses. Ms. Kennedy stated the agent works for four communities, and his services for Medway draw a stipend of \$6,900.

As the Board would like to meet with the Veterans Agent, this matter was tabled until the meeting on March 7.

Approval -- Special Municipal Employee Designations:

The Board reviewed the following: (1) Email from Town Counsel, dated December 21, 2010, (2) list of Town employees with Special Municipal Employee Designation, and (3) list of proposed members for consideration by the Board.

Town Administrator Suzanne Kennedy reported that Town Counsel has reviewed and approved the list of proposed members to be designated as Special Municipal Employees.

Selectman Trindade moved that the Board authorize members included on the proposed list be designated as Special Municipal Employees provided they meet the criteria as outlined by Town Counsel; Selectman Foresto seconded. All ayes, 5-0.

Closing of Annual Town Meeting Warrant:

The Board reviewed a draft Warrant for Annual Town Meeting to be held on May 9, 2011.

Town Administrator Suzanne Kennedy reported that two additional articles had been added to the Warrant, and that the Board received copies of those this evening. She stated that closing the Warrant now helps administration gather data, review by Town Counsel, etc.

Selectman Trindade moved that the Board close the Annual Town Meeting Warrant; Selectman Espinosa seconded. Selectman Dunne commented that the date of Town Meeting seemed early. Ms. Kennedy stated she would investigate to learn how much later it could be held. All ayes, 5-0.

The Board asked Ms. Kennedy to separate CIPC articles for the Route 109 project, West Main project, and truck purchase.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-34, dated 2/24/11, submitted for approval:

11-34	Town Bills	\$647,811.56
11-34S	School Bills	\$477,390.44
TOTAL		\$1,125.202.00

Selectman Trindade moved the Board approve Warrant #11-34, dated 2/24/2011, in the amount of \$1,125,202.00; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Town Administrator's Report:

Ms. Kennedy stated the Town has applied for two additional grants. The first is a Massachusetts Area Planning Council (MAPC) planning grant intended to foster regionalization or sharing of staff and/or resources. This particular one will be a collaborative effort to look at parking regulations to comply with updates (decrease in parking requirements). The second grant would provide planning funds for regionalization of health services, as well as five years of funding, in order to concentrate on preventive health care services.

Ms. Kennedy reported that she attended a tabletop exercise put together by Department of Public Services, focusing on collaboration among staff to resolve specific issues. The cost of this gathering was budgeted in Water Department funds.

Ms. Kennedy stated that at a Legislative Breakfast on Friday, February 18, John Robinson, Deputy Director of Massachusetts Municipal Association Legislative Services suggested revenue assumptions are based on savings that may not come into existence. Conversations with other participants indicate revenue figures should be conservative, approximately a 5% reduction from last year.

Selectman's Reports:

Selectman Foresto noted numerous responses to the RFQ on the Thayer Project. He stated interviews will be held on two evenings this week and one evening next week.

Selectman Trindade noted he and Selectman Dunne attended breakfast with Selectmen from other communities to discuss regionalization of library resources. Library regionalization has not been successful, and the Library Board of Trustees voted not to go forward. He suggested members of the Board and Finance Committee take a close look at how to fund the library going forward. Chairman Crowley asked Ms. Kennedy to contact the Chairman of the Finance Committee on this matter. Selectman Dunne stated he obtained a regionalization plan from the Acting Director of the Medway

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Public Library, written in May 2010, and noted the Library Board of Trustees did not share it with anyone and opted not to continue the experiment.

Selectman Espinosa -- no report.

Selectman Dunne stated he attended a meeting of the Oversight Committee on the Medway Community Farm. He stated the farm is setting up events, garden share, flower share, etc. and encouraged residents to check out website. He added that the house is in decent shape, surviving the winter thus far.

Chairman Crowley stated he went to a meeting at the Medway Community Farm, and that he was impressed with what has been done. He acknowledged Heather Scott as being instrumental in accomplishing a great deal, as well as Jeremy Barstow.

Chairman Crowley stated the Town elections coming up. He reported that there are still seats open, and encouraged people to take out papers and run for election.

Approval of Minutes:

The Board reviewed draft minutes for regular session meetings of January 3, 2010 and January 19, 2010.

The Board tabled this matter until the meeting on March 7.

At 9:46 PM Selectman Trindade moved to adjourn; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

Board of Selectmen's Meeting
February 24, 2011, 8:00 AM
Sanford Hall, Town Hall
155 Village Street

Present: Chairman Dennis Crowley, Selectman John Foresto, Selectman Glenn Trindade, and Town Administrator Suzanne Kennedy. Selectman Dunne was available briefly via phone. Selectman Espinosa was absent.

At 8:08 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Budget Discussion:

The Board had previously received notebooks with budget information for their review. These notebooks were used during discussion during meeting.

Selectman Dunne spoke briefly via conference call. He stated he had some questions and would meet with Town Administrator Suzanne Kennedy when he returned. His questions involved the following accounts: Tri-County Regional School, Selectmen's Office, employee health insurance, unemployment insurance, Board of Health, Veterans expenses, Parks Department, library regionalization, monetary articles, emergency medical services (salary/expenses), and water enterprise fund.

The Town's budget is comprised of departmental and committee accounts and enterprise funds, and the budget notebooks were arranged in alphabetical order, accounts first, then funds. The Board and Town Administrator had no issues with the following accounts:

Animal Control Office, Annual Town Report, Disability Commission, Elections, Energy Committee, Finance Committee, Historic Commission, Memorial Committee, Sunshine Committee, Veterans Services, Medicare, Workers Compensation, Unemployment Compensation

Discussion followed on the following:

Assessors Office –Selectman Foresto expressed concern that this group appeared to overspend their allocation for supplies. Chairman Crowley asked why the salaries went up; Ms. Kennedy responded it was a provision for potential minor increases.

Building Department – The Board wondered about the status of the permitting software (MUNIS). Ms. Kennedy responded the software is difficult to use as it is a bundle of several different components, always a learning curve, and staff does not like it.

1 Capital Improvement Planning Committee – Chairman Crowley expressed concern for an increased
2 request for supplies.

3 Conservation – Ms. Kennedy stated that the previous Conservation Coordinator was on contract, and
4 the present agent is salaried, which is now reflected in the budget.

5 Council On Aging – Concern was expressed for telephone expenses. Ms. Kennedy will look into it.

6 Department of Public Services – Selectman Foresto asked that the organizational chart include names as
7 the department is so large. Because of its size, it was suggested that the Board meet with this
8 department separately. Ms. Kennedy stated there were numerous personnel changes from last year to
9 this year, some of which need to be reviewed. Additionally, it was suggested that surveillance
10 equipment be activated at the transfer station.

11 Norfolk County Agricultural High School – Regarding the school's receipt of an invoice from the
12 Department of Education, it was suggested that it was perhaps to recover the school's costs from not
13 having a tenant in the unused portion of the building.

14 Fire Department – There is difficulty finding people to be available at night on an on-call basis (EMT's) so
15 using ALS for that, which requires qualified paramedics. Ideally, the department would like to have 24-7
16 coverage with qualified paramedics. There was discussion on staffing concerns and goal setting.
17 Regarding electricity costs at the department, efforts will be made to assist fire staff to properly allocate
18 utility expenses between EMS and fire.

19 Board of Health – There was a brief discussion on how this office should be staffed. Chairman Crowley
20 stressed the importance of having adequate hours and someone in the office to handle permitting and
21 other pertinent issues.

22 Human Resources – Selectman Foresto asked about educational reimbursement. Ms. Kennedy
23 responded the Town is obligated via union contract. She added that figure might be reduced after up-
24 to-date figures from this year are evaluated. Regarding the health care cafeteria plan, any overage
25 comes back to the Town as cash.

26 Informational Services – Chairman Crowley asked about the division of costs between the Town and the
27 schools, as one individual handles both venues. It was suggested that the split is 90/10 Town/schools.
28 Discussion on school budget, in particular, expenses billed to the school budget when they should be
29 considered Town expenditures on facilities, bathroom repairs, etc. Chairman Crowley will request a
30 report from the School Committee.

31 Legal/Town Counsel – There is a slight increase in the retainer for legal services as well as increase in
32 overall legal budget due to expected arbitrations in labor contracts. Selectman Trindade suggested the
33 schools and the Town use the same legal firm, as that might elicit some cost savings.

34 Library – Ms. Kennedy states she and Melanie have analyzed the projected costs. There was brief
35 discussion on salaries, regionalization funds, cleaning costs, maintenance budget, etc. Selectman

1 Trindade suggested adding the cleaning contract for the library to that of Town Hall to reduce the cost.
2 Selectman Foresto stated the structure of the library system needs to be updated. He expressed
3 concern that a full-time director should be recruited. Chairman Crowley responded the library trustees
4 have the authority to make staff changes without Town permission.

5 Planning Board – Ms. Kennedy wants to provide Affordable Housing Trust and Affordable Housing
6 Committee secretarial support and is trying to get money allocated.

7 Police Department – Selectman Foresto wondered why there is a Comcast bill. Responding to a
8 question from the Chairman, Ms. Kennedy stated holiday pay and educational credits are contractual
9 payments and rolled into salaries. No personnel issues.

10 Police Communications – Dispatchers are no longer considered Special Police Officers.

11 Town Accountant – Selectman Trindade stated the professional/technical amount seemed high. Ms.
12 Kennedy stated it include money for two consultants, one helping to prepare new water bills. This is
13 particularly time-consuming as there are houses without meters (free water) and determining how to
14 calculate usage. Regarding a procurement officer, Ms. Kennedy stated if she can find the money to pay
15 for certification training, she will get someone willing to step up.

16 Town Administrator – Chairman Crowley cautioned that it is hard to justify salary increases if teachers
17 might be getting cut. Discussion. Selectman Foresto stated he would like information on how the split
18 for Town vs. school was derived, i.e., 56% for schools, and 44% for Town expenses.

19 Unemployment compensation – This figure does not include potential layoffs from schools. Discussion
20 on school budget not being what they wanted and difficulty getting information. The Town takes risk
21 on unemployment, not the schools, and may have to reduce Town positions in order to cover that
22 expense. Ms. Kennedy stated she reduced her budget last year by \$300,000 and will get specifics to the
23 Board. She added that the Human Resources Director and Treasurer/Collector have worked hard on
24 salary issues. Discussion on potential layoffs, impact of unemployment compensation and general costs
25 associated with layoffs. Health insurance has also increased. Consultant will do cost analysis of various
26 plans and options.

27 Town Clerk – There was discussion on salaries, responsibilities and supplies. The Board recommended
28 removing the proposed \$2,000 salary increase.

29 Treasurer/Collector – Chairman Crowley wondered why the EMS overtime isn't charged to the EMS
30 account. Ms. Kennedy responded the person doing the billing is in a different office. Selectman
31 Trindade stated the overtime should come out of the account generating the overtime.

32 Zoning Board of Appeals – The Board wondered why there is such discrepancy between the actual
33 charge and the amount budgeted. Ms. Kennedy responded the costs are based on how many times the
34 group meets.

- 1 Debt Service – Chairman Crowley stated he would like to have the Treasurer/Collector meet with the
2 Board to explain the facets of debt service. He suggested it could be on the same day they meet with
3 the DPS Director.
- 4 Town Wells – There is presently no insurance. It was suggested this expense should come out of
5 enterprise funds.
- 6 Retirement Pension – These figures were unavailable.
- 7 Health Insurance – Ms. Kennedy stated this is presently out for bid, and that she hopes to have answers
8 within a month.
- 9 Reserve for Salary – Used for police salaries this year; last year there was sufficient money in reserve.
- 10 Enterprise Accounts – Chairman Crowley suggested questions on the solid waste account wait until the
11 meeting with DPS Director.
- 12 Emergency Medical Services (EMS) – The Town Accountant is working on getting figures.
- 13 Water and Sewer– These matters will be discussed with the DPS Director.
- 14 It was agreed to meet with the Town Accountant, Treasurer/Collector and DPS Director at the next
15 meeting, scheduled for Saturday, March 5, at 1:30 PM. Ms. Kennedy will let the Board know if this
16 meeting date will work for all parties.
- 17 **At 10:06 AM, Selectman Foresto moved to adjourn; Selectman Trindade seconded. No discussion. All**
18 **ayes, 3-0.**

**Board of Selectmen's Meeting
February 7, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Glenn Trindade, Selectman Andrew Espinosa, Selectman Richard Dunne and Town Administrator Suzanne Kennedy.

At 7:03 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 7:04 PM Selectman Trindade moved that the Board go into Executive Session for the purpose of discussing strategy with respect to litigation as an open meeting may have a detrimental effect on the Town's litigating position, and to return to public session upon adjournment; Selectman Dunne seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Espinosa, aye; Selectman Dunne, aye; Chairman Crowley, aye; all ayes, 5-0.

At 7:25 PM Chairman Crowley reconvened the public session.

Public Comment:

Doug Wall, representing the American Legion Post, reported to the Board that the veterans group is considering sale of its property located at 6 Cutler Street and that its bylaws state if the building goes up for sale the Town has the right of first refusal. He clarified that the building is presently not on the market. He submitted a use proposal, giving the Historical Commission control of the building, under the Town's umbrella. He suggested making it available to the community as an additional meeting room for functions. Discussion followed.

Selectman Dunne suggested that all discussions of this matter include the Historical Commission and the Community Preservation Committee, the latter because CPA funds would likely be the source of the monies used for the purchase.

Chairman Crowley stated the Board would contact Mr. Wall in the next few weeks regarding this matter.

Action Items from Previous Meeting:

#3 – Solid Waste Audit Report – this item has been placed on the agenda for March 21. Chairman Crowley stated he has questions on the study that was done, and asked that the consultants come to the meeting with answers to those questions.

#7 – Route 109 Project – Selectman Espinosa stated the group plans to meet on February 9. They intend to make a presentation to the Board on February 22.

#9 – Energy Grant application – Ms. Kennedy stated the grant application for "green" communities has been submitted. The highest allowable amount the Town of Medway is eligible for is \$158,000.

There were no other Action Item updates.

Discussion – Library Board of Trustees:

Present: Library Board of Trustees -- Wendy Rowe, Chair; MaryAnn Cabibbo, Vice Chair; William Roberts, Secretary; and Ed Duggan. Also, Lori Brownell, Jack Robinson, and Paul Marble, residents.

Ms. Rowe briefly updated the Selectmen on the recent efforts made toward regionalization of library services with the Franklin Public Library. Topics touched on included maintenance services, cleaning services, recertification of the Medway Library, staffing issues, expanded services, and funding. She stated the Library Board of Trustees has voted not to continue with regionalization efforts as it feels such a move does not truly benefit the residents of Medway.

Ms. Cabibbo stated that having both a Library Director and an Assistant to the Director is often problematic as they sometimes have overlapping hours, yet there are hours when neither is on site. She stated further the Trustees' belief that money would be better spent on a salary for one full-time person rather than two people at differing pay rates.

Mr. Duggan stated not having one person in charge and on site makes more sense, as there is currently no ownership of library tasks to move the library forward in its goals. He cited personalities, schedules and too many unanswered questions as contributing to the overall dysfunction. Mr. Duggan stated further his belief that, combined with state funding, a state-mandated regionalization may be the only way to accomplish it, but suggested that some things done in Franklin would never work in Medway.

Selectman Dunne asked if regionalization has been successful anywhere. Mr. Duggan responded that he knew of only one case, where a new building was built to service two communities. Selectman Dunne asked the Trustees if regionalization has really been given a chance, only a year's time or so, wondering if more time is necessary to make it work. Lengthy discussion followed.

Ms. Rowe described the regionalization effort as an "experiment" yet no one really took ownership of the effort. Selectman Dunne suggested that Acting Director Felicia Oti's efforts seemed to be stalled by a group of dissenters, citing a lack of trust and no faith in the process, and asked the Trustees if they were vested in making the regionalization happen. He encouraged them to reconsider their decision and continue with the effort.

Selectman Espinosa stated regionalization seemed like a way to combine services, given a limited budget, and yet maintain a library in town. He acknowledged that perhaps the current plan is not the best, but asked for definition of true issues. He asked about the potential for self checkout of library materials which could significantly streamline the front desk routine. He suggested restructuring the entire library system in order to blend municipal services. He noted that the library is the only entity where a Board of Trustees oversees the actual operations, the library employees report to board, which is comprised of volunteers who are not Town employees.

Ms. Rowe responded that the self checkout system could be accessed with a one-time fee of \$3,200 but the Trustees didn't want to expend funds on this item in addition to books and other materials. She

noted there were areas where they could be more efficient, but people opposed them. Ms. Cabibbo stated the Acting Director had a lot of ideas but people liked doing things their own way.

Selectman Trindade stated the library is a community resource that services a finite population. He asked what could have been done differently to make it work. Ms. Cabibbo responded the library has to fit the community; Franklin orders different books, has a different population and demographics, and there is nothing to be gained by sharing with Franklin. Selectman Trindade suggested that the Trustees simply want their own library and asked them to take another look at regionalization. Change can be a good thing.

Selectman Foresto asked if the real issue was with a particular individual, and not the process itself. He stated that the Board of Selectmen felt combining assets with Franklin toward common goals was a way of supporting the library as an entity in town. He echoed Selectman Espinosa's comment that the structure of the library system is problematic.

Chairman Crowley expressed disappointment that the Trustees did not come to the Board with their concerns earlier, as this situation did not develop overnight. He suggested the decision-making process of the Board of Trustees might have some bearing on the difficulty with the regionalization effort. He stated the residents would express their wishes at Town Meeting.

Ms. Lori Brownell, resident and Library Assistant, stated the staff on hand makes decisions all the time as Ms. Oti is often not there. She stated that Ms. Oti meets very few patrons and has no idea what the patrons really want.

Mr. Paul Marble, resident, stated he was involved with the Finance Committee when regionalization was discussed. He stated the way the plan is written gives Medway no oversight, and suggested that be looked at. He said funds were obtained for regionalization two years ago, and that, aside from personalities and politics, more people will be necessary to make it happen, as well as help from the state.

Mr. Jack Robinson stated the Town has a Facilities Management Committee looking at facilities management, and suggested the Trustees and Selectmen get input from that committee before making a final decision. He suggested consideration of long-term goals, such as where the Town and library want to be in the future, and less consideration of what happened in the past. Mr. Robinson stated significant financial issues exist and all opportunities to share resources and staff should be explored. He encouraged the Board of Selectman to get all the information and input possible.

Town Administrator Suzanne Kennedy thanked Ms. Rowe for her effort toward this project, and meeting together with Ms. Oti and herself. Ms. Kennedy stated it is crucial that there be a meeting of the minds and perhaps compromise between the two existing approaches.

Chairman Crowley repeated his earlier statement that the residents will ultimately make the decision, and encouraged residents to speak up. He clarified there will be separate line items within the Town

budget for the library budget and funds toward regionalization. He added that budget discussions begin in a few weeks. He reiterated his disappointment the Trustees had not come forward earlier.

The Board thanked the Trustees for their time and service.

Presentation by Capital Improvement Planning Committee: Postponed

Discussion regarding Water Resources Management Plan:

Present: Tom Holder, Director, Department of Public Services; James Palladino, Vice Chair, Capital Improvement Planning Committee; Steve Geribo and David Peterson, Kleinfelder/SEA Consultants

At the meeting, the Board was in receipt of the following information: (1) Integrated Water Resources Management Plan, Town of Medway, February 2011; and (2) Memorandum from Betsy Frederick, Kleinfelder/SEA Consultants, to Tom Holder, Director, DPS, Town of Medway, dated February 1, 2011, regarding NPDES Stormwater Compliance.

Mr. Holder informed the Board of a workshop scheduled for March 1 regarding stormwater utility development and the development of funding sources. Ask if anyone from BOS is interested in attending workshop on March 1 regarding funding sources.

Mr. Holder briefly reviewed the information presented in the documents he submitted this evening. He stated the communities of Franklin, Milford and Bellingham are already working on efforts towards stormwater management. He stated Medway needs to address the issue, particularly in light of the impending permit requirement. He noted municipalities have been reluctant to embrace Phase I of this permit requirement, and Phase II will impose stricter limits.

Mr. Holder stated an engineering project will cost \$500,000. He has applied for state revolving funds, and the Town of Medway is on a list of potential recipients. Town Meeting action will be required to appropriate necessary funds as a capital budget item. Mr. Holder stated he and the Finance Director worked through a 20-year debt model, which would incur \$35,000 in associated debt service each year. He said this effort is supported by the Capital Improvement Planning Committee.

Mr. Holder stated stormwater management centers around the quality of the water that is discharged from parking lots, washing machines, businesses, roofs, etc., into the water mains, eventually making its way into the Charles River basin. Mr. Peterson added that the process focuses on how many pathogens a stretch of the river can absorb without far-reaching ramifications. Each community has a specific number assigned to it, which generally measures the phosphorous level. The intent of Phase II is to get Medway's phosphorous level under control. The first year is so costly due to the intensive mapping operation that must take place in order to develop a phosphorous control plan. Implementation of that plan can take up to three years.

Mr. Geribo stated this country has done an excellent job of cleaning up lakes and rivers. The overland flow, such as oil from cars, livestock runoff, etc., has not been controlled. The Clean Water Act defines certain criteria that must be enforced. He suggested creating an integrated plan that addresses all

sources of water, where infiltration needs to be, where wastewater can be discharged into the ground, and what areas of land need to be protected as future sources of drinking water or places of discharge.

Responding to a question from the Board, Mr. Palladino stated this plan ties into other CIPC projects, and that participation shows the state that we are trying to work with what we have. Mr. Holder stated this project might eventually be mandated whether it is budgeted or not.

Chairman Crowley suggested the matter be discussed at either a separate meeting with the Capital Improvement Planning committee or in a workshop setting.

Approval – Fleet Maintenance Operation Evaluation Change Order:

The Board was in receipt of the following information: (1) Letter and Fleet Maintenance Evaluation Scope of Services from Weston & Sampson to Tom Holder, Director, Department of Public Services , dated December 10, 2010; and (2) Amendment No. One to Agreement for Engineering Services by and between Town of Medway and Weston & Sampson for Department of Public Services Fleet Maintenance Evaluation.

Mr. Tom Holder, Director, Department of Public Services, stated that the final cost of the contract would be \$8,592, after a waiver of \$3,000 from Weston & Sampson, and utilizing \$3,000 unspent from a previous contract. Discussion followed.

Selectman Trindade moved that the Board approve an amendment to the Weston & Sampson feasibility study contract to include a Department of Public Services fleet maintenance evaluation for an amount not to exceed \$8,592; Selectman Foresto seconded. Mr. Holder stated the evaluation encompasses a 14-step process and that the efficiencies gained would offset the cost of the study. All ayes, 5-0.

Emergency Expenditure – Snow and Ice Removal:

The Board reviewed M.G.L. Chapter 44, Section 31d: Department Appropriations – Snow and ice removal; emergency expenditures, reporting requirements.

Mr. Tom Holder, Director, Department of Public Services stated the annual budget for snow and ice removal is \$317,000, and so far this winter, \$462,000 has been spent. Ms. Kennedy reminded the Board the Town is allowed to make up the expenditure by the end of the year, and that this action acknowledges that the Town is aware of the financial liabilities.

Selectman Trindade moved that the Board approve incurring liability and making expenditures in excess of the available fiscal year 2011 appropriation for snow and ice removal; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Approval -- Finance Committee Transfers: Associated costs for Road Acceptances:

The Board was in receipt of the following: (1) Emergency Transfer Request, dated February 3, 2011, in the amount of \$9,700.00; and (2) Birch Hill – Street Acceptance Cost Estimate, dated February 2, 2011, in the amount of \$9,700.00.

Town Administrator Suzanne Kennedy stated the street acceptance committee decided to focus on specific locations to achieve better success. She stated she and Selectman Espinosa met with Town Counsel regarding this concept, and noted that this particular area (Birch Hill) is considered to be mostly successful in meeting all criteria, i.e., legal fees, appraisals, etc.

Selectman Espinosa stated there are currently thirty-one (31) unaccepted streets in five or six different divisions. He stated some of these are over ten years old. He commented that the legal issues will continue, noting the Board of Selectman can do nothing but continue with the annual process. This effort is an attempt to address a specific location, one or two streets per year, in order to spread out the legal expenses.

Selectman Trindade stated some of these divisions have no bond money left. He suggested the Planning Board may not have wanted to accept some for fear it would set a precedent, and now there is an inertia toward completing requirements. Residents are paying property taxes, yet until the street is accepted, the Town does not plow the snow nor do street repairs. Discussion followed. This fund transfer will enable work to be done now and possibly make the street acceptable for Town Meeting. In the future, funding for this ongoing project will be included in the budgeting process and voted at Town Meeting.

Selectman Trindade moved that the Board approve an emergency transfer request in the amount of \$9,700 to cover the expense of legal and appraisal fees associated with Birch Hill street acceptance; Selectman Espinosa seconded. Selectman Foresto expressed concern this figure may not be enough money for future processes of this nature. All ayes, 5-0.

Approval – Finance Committee Transfers: Associated costs for School Department HVAC Repairs:

The Board was in receipt of the following:

- 1) Emergency Transfer Request, dated January 21, 2011, in the amount of \$19,345.56, to cover the cost of replacing defective classroom univents*
- 2) Award of contract to R.P. O’Connell, Inc., dated December 15, 2010, to replace 34 defective classroom unit ventilator vales, in the amount of \$19,345.56, in accordance with Medway Public Schools, Chapter 30B: Uniform Procurement Act*
- 3) Quotation, dated December 15, 2010, from Randy Dale, R. P. O’Connell, Inc. to the Medway School Department, in the amount of \$19,345.56 [awarded]*
- 4) Quotation #1117512 in the amount of \$24,970, dated December 9, 2010, from Trane, Inc., [not awarded]*
- 5) Purchase Order #20110816-00 from R.P. O’Connell, Inc., in the amount of \$19,345.56*

Town Administrator Suzanne Kennedy reported the replacement of a defective classroom unit was dealt with over school vacation. Deb Trindade, School Committee Liaison, stated that a particular valve of the unit ventilator began to malfunction in 11 of 34 units, and the decision was to replace all such valves at the same time. By doing the work over vacation, the work could be done without interrupting education and avoiding overtime costs. All 34 valves were replaced.

Selectman Foresto moved that the Board approve an emergency transfer request in the amount of \$19,345.56 to cover the cost of necessary HVAC repairs in the schools; Selectman Trindade seconded. Brief discussion. All ayes, 5-0.

School Committee Report from School Committee Liaison:

Present: Deb Trindade, School Committee Liaison, and Shelly Wieler, School Committee.

Shelly Wieler, School Committee, stated a “needs” budget has been submitted, noting that it adheres to the Board of Selectmen’s defined budget policy. Responding to a question from the Board, she stated the committee worked on a budget that meets the requirements of what the schools believe they need to adequately educate children, then pared it back to meet revenue number from the Town. An impact statement was also prepared, as requested. Ms. Wieler expressed concern the committee may have utilized an incorrect revenue figure when preparing the budget.

Deb Trindade clarified by stating the original budget did not adhere to the Board’s budget policy, requiring the committee to focus on reductions. By the February 11 deadline, the budget will be finalized. Town Administrator Suzanne Kennedy stated she is available to meet with Ms. Trindade and Ms. Wieler regarding revised revenue figures.

Ms. Trindade also stated the committee will begin a search for a new Director of Special Education and has hired a firm to “head hunt” for the best qualified candidates. Additionally, they are trying to come to an agreement with a company that can do an assessment of the School Department’s delivery of special education services, mostly in the area known as related services, to see if any savings could be achieved. She noted the particular company under consideration has been used successfully in a number of other Massachusetts communities.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-32, dated 2/10/2011, submitted for approval:

11-32 Town Bills	\$ 901,387.22
11-32S School Bills	154,103.07
TOTAL	\$1,055,490.29

Selectman Trindade moved the Board approve Warrant #11-32, dated 2/10/2011, in the amount of \$1,055,490.29; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Opening and Closing of Annual Town Meeting Warrant:

Selectman Trindade moved that the Board open the Annual Town Meeting warrant as of February 2, 2011 with the intent to close the warrant on February 22; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Town Administrator's Report:

Due to the late hour, Ms. Kennedy deferred her report until the meeting on February 22.

Selectmen's Reports:

Selectman Foresto reported there has already been a response to RFQ on the Thayer house. All responses are due by February 15.

Selectman Trindade –No report.

Selectman Espinosa- No report.

Selectman Dunne- No report.

Chairman Crowley asked Ms. Kennedy when the Board could expect to see budget reports. Ms. Kennedy stated the budget will be available by hard copy or electronically on February 11. Chairman Crowley also asked that the discussion of the American Legion building be added to Action Items.

Approval of Minutes:

Selectman Trindade moved that the Board accept the regular session minutes of November 15, 2010, as drafted; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Regarding the regular session minutes of November 22, Selectman Trindade asked that any opposing votes be identified, noting this adheres to the new Open Meeting guidelines. At that meeting, Selectman Espinosa was not in favor of the motions proposed in the Tax Classification Hearing.

Selectman Trindade moved that the Board accept the regular session minutes of November 22, 2010, as amended; Selectman Foresto seconded. No further discussion. All ayes, 5-0.

Selectman Trindade moved that the Board accept the regular session minutes of December 6, 2010, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

At 10:08 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt

DRAFT

Board Secretary

**Board of Selectmen's Meeting
March 21, 2011, 6:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Dunne arrived at 6:43 PM.

At 6:39 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 6:40 PM Selectman Foresto moved that the Board go into Executive Session for the purpose of discussing strategy with respect to litigation as an open meeting may have a detrimental effect on the Town's litigating position, and further, to consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body, and to return to public session upon adjournment; Selectman Trindade seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 4-0.

At 7:15 PM Chairman Crowley reconvened the public session.

Public Comment: None

Action Items from Previous Meeting:

Item #3 – DPS Facility Feasibility Study – Selectman Trindade mentioned a property in Milford that might be considered for DPS barn. Ms. Kennedy mentioned another property (building) that could be purchased outright, and then retrofit to specific purpose. She added that she is in the process of setting up an appointment with the realtor.

Item #4 – Route 109 Project -- Selectman Espinosa stated the public hearing on this matter is scheduled for April 27.

Item #6 – Energy Grant – Ms. Kennedy stated notification of the \$158,000 grant award came today from Governor Patrick's office.

Item #8 – Storm Water Resource Management Plan – It was suggested the Town send a letter to the state saying that Medway cannot afford the \$500,000 necessary to comply with the plan, and further asking for guidance from the state given this financial position. Selectman Trindade clarified for residents the plan mandated by the EPA. Discussion followed. Chairman Crowley stated the EPA will hold additional meetings on this matter in June and July, noting that compliance may not be mandated until after the upcoming fiscal year, and speculated the total cost could be as much as \$15-20 million. Ms. Kennedy stated there will be a meeting in Washington, D.C. in April on this issue and suggested a member of the board attend this meeting along with Senator McGovern.

Item #9 –Water Permit Appeal – Chairman Crowley asked for an update. Ms. Kennedy responded that Town Counsel will provide report during a future executive session.

Affordable Housing Trust Presentation:

Present: Affordable Housing Trust members (residents) – Michael Heineman, Ann Sherry, Ralph Caton and James Gillingham.

While monitoring a PowerPoint presentation, Mr. Michael Heineman briefly updated the Board on recent activities of the Affordable Housing Trust, clarifying benefits of these efforts. He stated that the term affordable housing often generates misconceptions and stereotypical comments regarding “projects”, or “tenements”, etc. He noted one of their consultants also works with the Town of Sudbury, and displayed images of housing units in various communities. He explained the ongoing initiatives.

Mr. Heineman explained the purpose of the Town Meeting article is to transfer Community Preservation Act funds to the Affordable Housing Trust. He stated the funds would be put into a separate account and managed by the Town Treasurer.

Mr. Heineman stated they would like to develop a buyer-ready list so that buyers are available when housing units are complete. This work would be done by a community housing specialist (a part time position) who would also promote services of the Trust to realtors and developers. Discussion followed.

Responding to a question from Selectman Dunne, Mr. Heineman stated that, despite their best efforts, there is still resistance to affordable housing. Consequently, the group opted to ask for only part of the available funds in order to show progress towards its goals and hopefully receive positive feedback from the community before seeking additional funds. He stressed that, after the initial money, any balance of the \$800,000 in CPA funds for affordable housing can only be made available by Town Meeting action.

Selectman Espinosa commended the group for their hard work and the presentation. He expressed concern about potential for annual requests for funds. Mr. Heineman responded that could happen, but it all depends on what gets done in the first year. Discussion followed on how the coordinator would interact in town, benefits, who would supervise, etc. Chairman Crowley stated he liked the idea of a housing coordinator, someone who can monitor eligibility of the residents of the units to maintain the integrity of the affordable housing concept.

Selectman Dunne asked who has the authority to spend money in the Trust account. Mr. Heineman stated the Trust has control and can spend the money. Ms. Sherry briefly explained how the requests move through the process, noting the Trust actually makes the purchase. Once Town Meeting action transfers funds to the Trust, the Trustees have authorization to spend those funds as specified.

Selectman Foresto asked how properties can be lost. Mr. Heineman replied that sometimes a deed restriction can prohibit specific actions, such as resale, or deadlines are not met. Ms. Sherry stated units cannot be restricted or reserved for Medway residents, though a local preference can be specified.

Usually there is a lottery of eligible people, and also a group of non-Medway people. Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, stated that typically the local person is selected from one group, and then the remaining local people are added to the non-resident drawing.

Responding to a question from Chairman Crowley, Mr. Heineman stated that, if the Trust is disbanded or terminated, any funds under its control would go back to the Community Preservation Committee, the original source of the funds. To reactivate a disbanded Trust, the Board of Selectmen would need to appoint people to serve.

Ms. Sherry stated residents are being notified of this initiative through outreach via the local paper, on the website, etc., as well as public meetings. Selectman Dunne suggested putting tonight's PowerPoint presentation on the Town website as soon as possible as it is very informative. He also suggested a public forum to alleviate misconceptions and misinformation.

The Board thanked the members of the Affordable Housing Trust for their hard work and dedication to the community.

School Committee Report from School Committee Liaison:

Ms. Shelly Wieler thanked the Board for attending the joint meeting of the School Committee and the Board of Selectmen held on March 16, noting it was a good way to discuss pertinent topics.

Ms. Wieler briefly updated the Board on recent activities. She stated a joint Finance Committee meeting is scheduled for Tuesday, March 29. Solar panels for the Middle School will be constructed in April. Though the Middle School Repair Project is approximately two weeks behind schedule, she noted it was on a very aggressive schedule and should be back on track soon. The construction management at risk method has been approved by the MSBA.

Ms. Wieler reported that two seats on the committee are up for re-election in May, and to date only one person has taken out papers. Interested persons have until Friday, March 27 to pull papers. Fifty signatures are required to get your name on ballot. A write-in candidate with a majority vote can also secure a position. She urged residents with high standards in education and interested in the education of the Town's children to run for a three-year term.

Selectman Dunne congratulated the School Committee and the Superintendent of Schools for efforts toward budget resolution. He read aloud from an email from Dr. Evans on budget resolution, mainly the elimination of a proposed position [curriculum director] and transfer of circuit breaker funds into the school general fund, thereby complying with the Board of Selectmen budget policy statement. The matter will be further explored at a budget subcommittee meeting scheduled for March 23. He stated further the joint meeting of the School Committee and the Board of Selectman on March 16 was very positive, and expressed optimism that more revenue will be coming in from the state.

Ms. Wieler stated that hard copies of the budget were delivered to town hall today and should be distributed soon. She stated the school budget can be complicated, sometimes due to funds being tied to specific uses. The concept of "buckets of money" is misleading because they are sometimes

earmarked for specific uses or type of student and can disappear quickly. Spending down reserves makes the schools nervous. Ms. Wieler suggested that the subcommittee be allowed to do its work on moving the budget forward.

Chairman Crowley acknowledged that Selectman Foresto is the Board's liaison to the School Committee and attends the budget subcommittee meetings. He suggested adding Selectman Dunne and the Town Accountant to the list of attendees at the subcommittee meeting, and scheduling the meeting later to allow time for folks to get up to speed. He stated he has comments he wants to prepare and send with Selectman Foresto to the meeting. Discussion followed. Ms. Wieler cautioned that adding too many people to a committee can make the group unwieldy, but stated the meeting is open to the public. Selectman Espinosa suggested the presence of the Town Accountant will be helpful to answer any questions on the format of the budget presentation. Ms. Pratt is very familiar with MUNIS and other financial aspects of the budget process.

Selectman Trindade moved that the Board request Selectman Dunne and Town Accountant Carol Pratt attend the meeting of the subcommittee with regard to budget resolution; Selectman Foresto seconded. Ms. Wieler stated it was unnecessary to have two Selectmen at the meeting. Selectman Espinosa stated there have been communications issues and an increased presence might alleviate that. Selectman Foresto concurred, especially as it is primarily a working meeting, only discussion, no voting. Further discussion followed. **All ayes, 5-0.** Ms. Wieler stated she would make sure they were invited to the meeting on Wednesday, March 23.

Discussion and Vote – Layout of Hunter Lane and Ivy Lane:

The Board was in receipt of the following information: (1) Memorandum from Planning and Economic Development Coordinator, dated March 15, 2011; (2) As-Built Plan of Land entitled "Birch Hill Acres" Hunter Lane and Ivy Lane Roadway, dated June 29, 2009; (3) Notice of Public Hearing to be held on Monday, April 4, 2011, dated March 15, 2011; (4) Overview of Warrant Articles 23, 24 and 25; and (5) Email from Town Counsel regarding Hunter and Ivy Lanes (Article 24), dated March 2, 2011.

Ms. Susy Affleck-Childs stated this matter is on the agenda for the Planning Board's meeting on Tuesday, March 22. She added that the public hearing is scheduled for April 4, and residents in the neighborhoods of Hunter Lane and Ivy Lane have been invited. Brief discussion followed.

Selectman Trindade moved that the Board of Selectmen express its intent to lay out as public ways a portion of Ivy Lane from Station +00 to Station 1+90.48 and a portion of Hunter Lane from Station +700 to Station 15+26.83 as shown on the Birch Hill Street Acceptance Plan dated October 28, 2009 and to refer this matter to the Planning and Economic Development Board for a report and recommendation; Selectman Dunne seconded. Ms. Affleck-Child stated all abutters have been contacted of the eminent domain taking, and surveys are being conducted. Town Counsel will then work with the Planning and Economic Development Board to file appropriate paperwork for eminent domain taking with specific notifications to affected abutters. **All ayes, 5-0.**

Ms. Affleck-Childs stated further that a complete package of information will be ready in time for Town Meeting.

Authorization of chairman to Execute Contract with Cintas for Uniform Rental:

The Board was in receipt of the following information: (1) Contract between the Town of Medway and CINTAS Corporation, dated February 9, 2011; and (2) Contract Summary, start date April 11, 2011.

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Assistant Director, Department of Public Services

Selectman Trindade moved that the Board authorize the Chairman to execute a 3-year contract with CINTAS for an amount not to exceed \$12,000 to provide for uniform rental for the employees of the Department of Public Services; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Authorization of Chairman to Execute Contract with Tata & Howard for General Engineering Services Related to Sewer Support:

The Board was in receipt of the following information: Contract between Tata & Howard and the Town of Medway, dated February 8, 2011.

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Assistant Director, Department of Public Services

Ms. Kennedy stated this action is to provide support as there is no in-house engineer. Mr. Holder stated he would like to put into place a modified procedure for securing professional consultants, locking in the terms and conditions. He noted that this particular action is funded by the department budget. It is a general services contract, which formalizes the process. Mr. Holder stated further that Town Counsel has approved it. Chairman Crowley expressed concern for applying storm water expenses to the appropriate accounts.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Tata & Howard for an amount not to exceed \$5,000 to provide general engineering services related to sewer support; Selectman Espinosa seconded. No further discussion. All ayes, 5-0.

Authorization of Chairman to Execute Contract with Dankris Builders for Re-Screening of Populatic Street Well:

The Board was in receipt of the following information: (1) Contract Summary from Dankris Builders Corp. with a start date of March 23, 2011; and (2) Letter, dated January 24, 2011, from Gregory L. Eldridge, Haley and Ward, regarding bids for the re-screening project.

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Assistant Director, Department of Public Services

Selectman Trindade clarified for residents the nature of this work, noting that periodically screens have to be cleaned or replaced to keep water flowing.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Dankris Builders Corp. for an amount not to exceed \$75,220 for the re-screening project at the Populatic Street Well; Selectman Dunne seconded. Mr. Holder stated that Town Meeting articles appropriated the finances for this type of work. All ayes, 5-0.

On a separate topic, Chairman Crowley asked about the vertical turbine pump. It was noted that the pump was removed, cleaned and then re-installed.

Update – Solid Waste Audit Report:

The Board was in receipt of a Report entitled “Town of Medway Recycling Center Study”, dated May 5, 2010, revised July 9, 2010, from Michael J. Richard , P.E., Weston and Sampson.

Present: Tom Holder, Director, Department of Public Services; David D’Amico, Assistant Director, Department of Public Services; Michael J. Richard, P.E., Weston and Sampson.

Mr. Michael Richard, Weston and Sampson, briefly reviewed the report submitted to the Board. He suggested cash not be accepted at the gate, and recommended the Town consider implementing some checks and balances. He advised that the Town not accept wood waste. Mr. Richard stated the Town has a good recycling rate, most likely a result of the Pay as You Throw system. He suggested more public education on recycling as well as policing activity at the transfer station to insure compliance, i.e., more organized traffic patterns with appropriate signage so that every vehicle passes by an authorized attendant. Mr. Richard stated that the Solid Waste Association of North America (SWANA) offers – online training and information for residents. He stated he would like to see facility begin to operate in the black, not at a deficit.

Selectman Dunne acknowledged that the deficit is covered by other funds but wondered where fees could be increased. He stated that the recycling center provides a service to the residents and should not be considered a breakeven or profit center. When asked about a single stream system, Mr. Richard responded that would be more expensive as recyclables have to be transported further after sorting. Not every company who accepts recyclables will take it comingled. Discussion followed on enterprise accounts, feasibility of closing landfill, wood waste, increase of fees, public education, etc.

Mr. David D’Amico, Assistant Director, Department of Public Services, clarified that the noted deficit is connected to the operation of the recycling center, not the solid waste collection overall.

Mr. Tom Holder, Director, Department of Public Services, stated the department has already implemented some of the suggested changes reflected in the report.

Authorization of Chairman to Execute Contract with Davis Square Architects for Thayer House Development Project:

The Board was in receipt of correspondence, dated March 16, 2011, from Davis Square Architects, outlining DRAFT proposal for architectural services.

Mr. Dan Hooper, Chairman, Thayer Development Committee, briefly explained that the proposal submitted by Davis Square Architects was a draft, and that the committee would be checking specifics. He noted the contract is for a fixed fee of \$29,000 plus reimbursement of eligible travel expenses, etc.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Davis Square Partners relative to the Thayer House Development Project in an amount not to exceed \$30,000, subject to review and approval by Town Counsel and Town Accountant. No discussion. All ayes, 5-0.

Selectman Foresto reviewed the rapid sequence of events last week, noting the committee reviewed letter from Davis Square Partners, rejected parts of it, and reached agreement on Friday, March 18.

Approval of Memorandum of Understanding – Metro Boston Consortium for Sustainable Communities:

The Board was in receipt of the following information: (1) Memorandum of Understanding with Metro Boston Consortium for Sustainable Communities dated February 23, 2011; (2) Draft note to Board of Selectmen, dated March 9, 2011; and (3) Email from Town Counsel, dated March 18, 2011.

Ms. Kennedy stated that ten months ago Medway decided to lend support to this consortium, and now that it has received a \$4 Million grant, it is prudent to enter into a Memorandum of Understanding. She stated that involvement with this group may open the door to additional grants for Medway. This group will focus on economic opportunities available along Route 495, as well as regionalization initiatives. She clarified that the Memorandum of Understanding comes at no cost, and the Town can disengage at any time.

Selectman Trindade moved that the Board approve the Memorandum of Understanding with Metro Boston Consortium for Sustainable Communities; Selectman Foresto seconded. Ms. Kennedy clarified that Town Counsel has reviewed the document and sees no problem with entering into the agreement. Discussion followed. All ayes, 5-0.

Discussion and Vote of Proposed Annual Town Meeting Date Change:

The Board reviewed an updated calendar relative to reviewing budget information prior to Annual Town Meeting.

Selectman Trindade moved the Board change the date of the Annual Town Meeting from May 9, 2011 to June 13, 2011; Selectman Foresto seconded. Selectman Trindade relayed a comment from a member of the Finance Committee, noting that Town Meeting held in May is specified by the Town Charter, and suggested that perhaps the Town Charter be changed. He reminded the Board that Town Meeting has been changed several times in the past years. Selectman Espinosa stated the

present economic forecast may not always be the case and changing the Charter to accommodate present conditions may not be wise. Selectman Dunne agreed with Selectman Espinosa. All ayes, 5-0.

Regarding the updated budget calendar, Chairman Crowley expressed concern that he and Selectman Foresto will be absent April 4-7, and it will be difficult to meet the Finance Committee's deadline of April 8. Discussion followed. It was agreed to change the Selectmen's meeting from April 4 to Monday, March 28, beginning at 6 PM. Topics for discussion include, but are not limited to, budgets from the Department of Public Services, Town Clerk, Town Administrator, Town Accountant, Town Treasurer, Enterprise Accounts and warrant articles not needing appropriation. Ms. Kennedy stated she will meet separately with Selectman Espinosa who cannot attend on March 28.

Opening and Closing of Proposed Special Town Meeting Warrant Recommendations:

Selectman Dunne moved that the Board officially open the Warrant for the Special Town Meeting scheduled for June 13, 2011; Selectman Trindade seconded. Selectman Dunne felt the Warrant should be closed at a later date. All ayes – 5-0

Approval of Warrants:

There were two (2) Warrants submitted for approval.

(1) Selectman Foresto read aloud Warrant #11-37, dated 3/17/2011:

11-37P Gross Payroll Town	\$200,886.64
Gross Payroll School	776,865.37
TOTAL	\$977,752.01

Selectman Trindade moved the Board approve Warrant #11-37, dated 3/17/2011, in the amount of \$977,752.01; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

(2) Selectman Foresto read aloud Warrant #11-38, dated 3/24/2011:

11-32 Town Bills	\$ 982,401.86
11-32A Town Bills	2,125.88
11-32S School Bills	486,345.85
TOTAL	\$1,470,873.59

Selectman Trindade moved the Board approve Warrant #11-38, dated 3/24/2011, in the amount of \$1,470,873.59; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Town Administrator's Report:

Regarding the Transportation Committee's bond bill at the State House, Ms. Kennedy stated she notified Senator Spilka's office that Medway has an interest in these funds, specifically \$400,000 for school parking lot repairs. She clarified that this money should not be confused with anticipated Chapter 90 funds. Ms. Kennedy states she also asked for \$500,000 for additional roadway improvement costs and sidewalk repairs, hoping that her swift action will be to the Town's advantage.

Ms. Kennedy stated that the Town has received a grant of \$158,000 relative to its designation as a "green" community.

Regarding a report from Northeastern University on economic development, Ms. Kennedy stated the Planning and Economic Development Coordinator will be preparing a report focusing on Oak Grove and other Medway issues. She asked the Board if it would consider working with the Planning and Economic Development Board to develop a strategic plan focused on economic development. Discussion followed.

Selectmen's Reports:

Selectman Foresto stated he would like clarification of his role as liaison to a committee as it seems that role is evolving. He questioned whether a liaison should be expected to be involved in negotiating a budget. Discussion followed.

Selectman Trindade suggested the Board consider a motion that if vacancies in the Department of Public Services remain unfilled for remainder of the fiscal year, those funds be allocated to free cash, or write a Town Meeting article that moves the money into salary reserve for FY12. The money could be moved back to the DPS budget at a later date. Additionally, he asked Town Administrator Suzanne Kennedy to instruct department heads to conserve cash. Ms. Kennedy responded that money is already in the DPS budget for those vacant positions, but due to difficulty in getting quality candidates, the positions remain unfilled. Ms. Kennedy stated vacancies in other departments can be put on hold until further fiscal information is available. Discussion followed. Ms. Kennedy will encourage staff to be prudent in spending.

Selectman Espinosa had no report this evening.

Selectman Dunne stated he had received an email from a member of Library Board of Trustees, requesting the draft proposal regarding regionalization be removed from the Town website. He respectfully declined this request, and encouraged residents to review the document. He added that there is no mention in any meeting minutes of the Library Board of Trustees that the document was presented, considered, or voted on. Ms. Kennedy clarified the document has been posted as a "draft" and not as a final product. Changing topics, Selectman Dunne stated he plans to attend the School Committee's subcommittee meeting on March 23.

Chairman Crowley asked for an update on health care premiums. Ms. Kennedy stated she has budgeted a 12% increase, but has since learned the increase could be as high as 19.5% due to some seriously ill insureds. Discussion followed.

Approval of Minutes:

As requested by Chairman Crowley, the DVD of the January 19, 2011 meeting was reviewed to clarify a section on page 5 of the draft minutes. Revised minutes of that meeting are now submitted for approval.

Chairman Crowley moved that the Board accept the public session minutes of January 19, 2011, as revised; Selectman Trindade seconded. No discussion. All ayes, 5-0.

At 9:59 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
March 31, 2011, 8:00 AM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectman John Foresto, Selectman Glenn Trindade, Selectman Dunne, Selectman Andrew Espinosa and Town Administrator Suzanne Kennedy.

Also present: Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant; Sue Ellis, Human Resources Director.

At 8:08 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Discussion – Special Town Meeting Warrant Articles:

Chairman Crowley asked about transferring free cash to reserve. Town Accountant Carol Pratt responded it was not necessary. Discussion followed. Town Administrator Suzanne Kennedy stated the Town may get funds from FEMA to offset costs from the big storm, and those funds would go to free cash.

Brief discussion followed on Article 6, changing the wording to include "other assessor surplus".

Regarding changes in Article 4, Ms. Kennedy stated this was due to another installment stemming from a settlement with the Town of Franklin. This money can be used for sewer easement litigation costs. She stated that two easement matters might soon be resolved at a cost of around \$90,000. Selectman Espinosa expressed concern that money is being co-mingled, and that Town-wide money is being used for specific purposes. Ms. Kennedy clarified that the fund is within the general Water and Sewer Account. Discussion followed. Melanie Phillips, Treasurer-Collector clarified further that debt exclusion costs are coming out of the general fund, not enterprise funds. She emphasized that all accounts are audited at the end of every fiscal year to make sure funds are accounted for appropriately. Discussion followed.

Selectman Trindade moved the Board accept the Special Town Meeting Warrant with the change to Article 6, Line 3, to reflect "and any other assessor account surplus"; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Discussion – Annual Town Meeting Warrant Articles:

Regarding Article 13, Town Administrator Kennedy read from email from the Director of the Department of Public Services. Chairman Crowley wondered why a separate article was necessary. Selectman

Foresto stated that the funding is already secured, and this article allows the movement of the funds. Ms. Kennedy will add a description of what the money will be used for, which will help residents understand. Discussion followed.

Selectman Espinosa suggested reviewing the articles one by one. The Board agreed.

At Selectman Dunne's suggestion, the Board agreed to flip Articles 1 and 3.

The Board then discussed articles as follows. If a particular article is not mentioned, there was no discussion.

Article 2- Appropriation: FY12 Operating Budget: Brief discussion on the provision for a Reserve Fund. No money can be spent from this fund without Town Meeting action.

Article 5- FY12 Capital Budget – Water/Sewer Enterprise: Selectman Trindade expressed concern for the road being worked on for too long for water main replacement, especially if the rest of the road project may be still two years away. Chairman Crowley suggested changing the article to reflect engineering costs. Selectman Foresto suggested dividing it into two articles. It was suggested that the Water Resources Management Plan should come out and reference West Street only.

Article 6 – FY12 Capital Budget – Ambulance Enterprise: Selectman Foresto asked what might trigger replacement of an ambulance. Ms. Kennedy stated the Town tries to replace them every five years; they are five and ten years old respectively. Ms. Pratt stated only \$159,000 is available. Selectman Dunne suggested looking for a vendor who would accept the \$159,000 instead of \$175,000. Ms. Kennedy stated she would like to borrow the whole amount. Chairman Crowley asked Ms. Phillips for breakdown of costs. Ms. Kennedy stated paying cash depletes reserve funds. Selectman Trindade suggested waiting a year, given the increased salary for a new fire chief.

Article 7- Appropriation: FY12 Water Enterprise Fund: Selectman Espinosa suggested changing the wording to "for the operation of the Water . . ." Ms. Phillips stated there is only enough revenue anticipated to cover costs. Additional revenue comes in with increased water usage and future consumption cannot be predicted. Selectman Trindade asked for figures for all the different funds.

Article 13 -- Water Supply Projects Account; Article 14 -- Water Distribution Projects Account and Article 15 -- Sewer Collections System Account: Selectman Trindade asked where the suggested amounts came from. Ms. Kennedy stated she would ask the Director of the Department of Public Services to meet with the Board to explain. She will also send a copy of Mr. Holder's email.

Article 18 – Funding of Police Contract: Ms. Ellis stated she proposed a change in sick time connected with the union to prevent unnecessary use of sick days, but it is not part of their contract. Discussion followed. There is no need to allocate funds for the contract outside of the FY12 operational budget.

Selectman Espinosa moved that Article 18 be removed from the Annual Town Meeting Warrant; Selectman Trindade seconded. No discussion. Split Vote – 3-2; Crowley and Dunne, oppose.

Article 21 – Charter Amendment: Board of Library Trustees: Ms. Kennedy reviewed the article and what each provision means, predominantly regarding library staff reporting to Town Administrator, as well as the Town Administrator having the authority to implement regionalization. The matter will come before the Board for further discussion on April 11. It was suggested to delete section about appointment to the Board of Trustees. It was also suggested that this matter take the form of a non-binding ballot question. Ms. Kennedy will look into it.

Article 22- Amend General Bylaw: Abandoned/Foreclosed Properties: It was noted that this is for only residential properties at this time. The Board asked for a copy of both versions to see changes from the original text.

It was agreed to meet on Monday, April 11, at 6:00 PM. Chairman Crowley requested that the revised warrant be distributed on Thursday, April 7, to allow more time for review.

Budget Discussion:

The Board continued its budget discussion from the public session on Monday, March 28, 2011.

Ms. Carol Pratt distributed updated FY12 Budget Projections with Operating Stabilization.

It was agreed that the revenue number would stay the same.

Ms. Kennedy reviewed the changes she made since the last draft. Retirement expenses were reduced. The issue on the Town Clerk's salary is still To Be Determined. She has met with the Treasurer-Collector regarding unemployment expenses, and noted that retirement will have an impact on health insurance costs. Regarding health insurance costs, she stated she met with the agent and Insurance Advisory Committee, who indicate the cost might come down to a 8 or 9% increase. Any increase still requires union agreement which may not occur until May or later. Selectman Dunne suggested that if unions hold up the process, the Town should publicize that fact to residents that the opportunity to reduce it was not Town's fault.

Continuing with her review, Ms. Kennedy stated salary reserve is also tied to union contracts. The Fire Department account was amended due to the retirement of the chief. Eight thousand was added to the library account for cleaning services. EMS enterprise account was reduced by \$29,000. Selectman Dunne asked Ms. Pratt to add a line separating enterprise account totals as well as showing sources of revenue. Ms. Pratt agreed to prepare a presentation encompassing everything, showing grants and other sources of revenue, in addition to the accounting-type version. Selectman Trindade suggested adding information specifying how various monies are restricted in their use. Chairman Crowley clarified that residents will vote on the accounting version. While an information sheet explaining what other sources of revenue might be helpful for residents, it cannot be voted. Selectman Foresto stated he had no issues with Ms. Kennedy's changes.

Discussion followed on personnel issues. Department of Public Services has three vacancies, one of which is a highway superintendent funded from three different sources. There is also an environmental supervisor and a water system operator, the salaries for which are included in 2011 and 2012 budgets.

Selectman Trindade wondered if automated meter reading decreased staff workload significantly. Chairman Crowley suggested that the Director be allowed to manage his own staff and acknowledged that there are many tasks that occur behind the scenes. The recycling operation has been upgraded. Selectman Foresto stated he believes in management by walking around, and noted that he saw Mr. Holder at the transfer station on a Saturday morning looking at the way things were happening.

Selectman Foresto moved that the Board accept the Department of Public Services budget as presented; Selectman Espinosa seconded. No discussion. Split Vote – 4-1; Trindade, oppose.

Selectman Foresto suggested that the DPS Director be allowed to move forward with filling existing vacancies. Selectman Trindade reiterated concern that economic times may force layoffs within months of their hire. Selectman Dunne suggested filling the open positions but not create new ones.

Selectman Dunne moved that, based on the budget as presented, the Board allow operational department heads to fill existing vacancies, but no new positions be created without authorization; Selectman Foresto seconded. Selectman Trindade offered a friendly amendment that no new positions are created without the Town Administrator seeking and getting Board of Selectmen approval. Selectman Dunne agreed to the friendly amendment. All ayes, 5-0.

Ms. Kennedy stated that Mr. D'Amico, Deputy Director, Department of Public Services, informed her that energy costs could go up significantly in the coming year. The amount would be reflected in the affected accounts.

Regarding the Selectmen account, Ms. Kennedy wanted to transfer the night board secretary function into the Town Administrator's budget and make them responsible to her. Selectman Trindade expressed concern that those salaries are paid for night secretaries and not for something else in her department. Ms. Phillips clarified that a stipend system was being considered. Chairman Crowley asked for a breakdown for each secretary for informational purposes.

There was a brief discussion regarding \$8,000 for in-house custodial services at the library.

Selectman Dunne moved that the \$8,000 be shifted from the library budget to the DPS budget as a maintenance expense specifically for cleaning the library; Selectman Trindade seconded. It was suggested that expenses be tracked in order to better budget this in the future. All ayes, 5-0.

There was a brief discussion regarding Camp Sunshine and related transportation expenses.

At this time, Ms. Kennedy distributed information on grades and steps for the Town Clerk position.

Selectman Dunne asked if all department heads are included on grades and steps. Ms. Ellis stated she is trying to establish some sort of salary table. Salaries are often negotiated and not necessarily coming in at an established rate. The Town Clerk has seen the salary calculation sheet; it is public information. Ms. Ellis stated she considered salaries for similar positions in other communities in putting together the table. Discussion followed on salary being performance-based rather than by time spent in position, commitment to high salary in difficult economic times, and possible tethering to union agreements.

Selectman Dunne suggested a salary of \$59,300.80 going forward, then tether increase to whatever the unions might receive. Chairman Crowley suggested rounding it to \$60,216, then move forward with unions. The Town Clerk is elected for a three-year term with two years remaining on existing term. Discussion followed.

Selectman Dunne moved that the Human Resources Director offer a salary of \$60,216 for the balance of the Town Clerk's existing term, with the condition that she accept benefits accrued to unionized employees, and further, if the offer is not accepted, the Town Clerk will have to propose any salary increase at Town Meeting; Selectman Trindade seconded. No further discussion. All ayes, 5-0.

School Department Budget:

Selectman Espinosa stated he had reviewed the School Department budget posted in MUNIS on March 18 and wanted to know if the Board of Selectmen was basing all decisions on this. The answer was no. He stated that the budget posted on February 11 contained an undefined bucket of money, which has now been spread throughout the rest of the budget, but he has been unable to locate the changes. Ms. Pratt will get that information to him. Selectman Espinosa wanted to know if this was the official document. The response was that the budget presented does not meet what is termed the "needs" of the School Department, and they may seek additional appropriation at a fall Town Meeting.

Selectman Dunne stated the Finance Committee asked him about the budget books. He indicated they would like books made for them, in addition to a soft (electronic) copy. He stated he advised them to contact the chairman with respect to the number they would need.

At 10:26 AM Selectman Foresto moved to adjourn; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
March 5, 2011, 1:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectman John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, Selectman Dunne and Town Administrator Suzanne Kennedy.

Also Present: Melanie Phillips, Finance Director/Treasurer-Collector; Carol Pratt, Town Accountant; Tom Holder, Director, Department of Public Services; David D’Amico, Deputy Director, Department of Public Services.

At 1:37 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Discussion with Department of Public Services:

The Board was in receipt of a report containing Department of Public Services grouped accounts with updates as well as an updated organizational chart with position titles and employee names.

Selectman Dunne stated he had a separate meeting with the Treasurer-Collector because he was out of town during the last meeting. He would like clarification of where all DPS people are located and costs associated with them.

Mr. D'Amico stated some things have been updated since the original budget was submitted, though, overall it is much the same. The total staff number did not change. Mr. Holder stated, that, after a year of study, personnel has been moved around to effect a more efficient operation. Mr. D'Amico noted that fuel allotments will not be correct due to the significant rise in gasoline prices.

Ms. Kennedy stated allocations to enterprise accounts may be different in the Selectmen's budget book, and that updates have been made.

At this time the Board opted to review the documents page by page.

Responding to a question from Selectman Foresto regarding the project manager's salary, Mr. D'Amico stated 50% of that salary was moved to the capital account. Mr. Holder stated the bulk of that individual's work is attached to specific projects. Ms. Pratt stated future projects can specify the salary for a project manager in the warrant article. Discussion followed about other fund transfers and the labor summary.

Regarding changes to trash and water, Mr. D'Amico stated those figures will be corrected. He noted some discretionary work was deferred, and referred the Board to the impact sheet in the budget book. It shows projects he would like to do but that are not supported by the budget. Further he stated any

1 contractor work comes out of the DPS budget. This would cover recent work helping fire department
2 with a variety of things, the elevator, library, police, etc.

3 It was noted that the street lights will be \$5,000.

4 With regard to Snow and Ice Removal expenses, Mr. Holder stated that as of the end of February, the
5 cost was at \$462,000. If sanding jobs were included, that might increase the total to around \$470,000.
6 He stated further he has not ordered any additional materials as the barn is one third full at this time.

7 Regarding expenses listed on page 41, it was noted that the biggest single expense is catch basin
8 cleaning which is contracted out. Other money was spent on collapsed covers which comes out of
9 budget item "repair and maintenance of roadway". Ms. Kennedy suggested breaking line items out a
10 little more to better reflect specifically what money is spent on. Chairman Crowley asked why there was
11 a \$5,000 increase in the Parks. Mr. Holder stated that part-time labor has been more than what was
12 previously budgeted so he increased it for this budget. The difference depends on length of the season,
13 and that hiring local people instead of college kids extends the time they are able to work.

14 Selectman Trindade asked about the signage expense. Mr. D'Amico responded that is a general amount
15 that might actually go to road expenses. The blue street signs are almost done. Mr. Holder clarified that
16 the green signs indicate "a private way" and will not be changed to blue.

17 Referring to page 42, Selectman Dunne asked about an increase, to which Mr. Holder responded that it
18 was a reclassification of the position, going from step 8 to a step 10. It was correcting a mistake, not a
19 salary increase. With regard to consulting, he stated that TruGreen comes in for specific jobs.

20 Discussion followed on road work. Selectman Trindade suggested it be voted at the Annual Town
21 Meeting. Mr. D'Amico stated it can be shifted within the overall budget as needed.

22 Selectman Trindade asked how salaries referenced on page 44 were disbursed. Mr. Holder stated it
23 went to full time salaries, i.e., project manager, and any administrative portion has been transferred to
24 capital.

25 Selectman Espinosa remarked that there was an overall decrease. Selectman Dunne stated it is difficult
26 to see how changes are included. Is it apples to apples? Mr. Holder responded the apples have just
27 been put into different baskets. The head count is the same but the money has been moved into
28 specific accounts to show where the money is being spent.

29 Chairman Crowley suggested review of the enterprise accounts be postponed until another meeting.

30 Regarding vacancies and associated salaries, Chairman Crowley expressed concern that townspeople
31 claim Town Hall is loading up with people. Selectman Trindade asked Mr. Holder if he plans to fill those
32 positions and whether those salaries are already built into the budget. He replied that he would like to
33 fill the positions, and that they are not new positions. The individuals just have not been replaced. The
34 salaries were in the FY2011 budget and have been carried over. He stated he is actively seeking people,
35 but the positions are difficult to fill. These positions are key to the department's success.

1 Selectman Dunne stated he would rather save three teachers than hire three new people. Selectman
2 Trindade suggested a hiring freeze, so that someone hired could not potentially be laid off, given the
3 current economic times. Mr. Holder responded that the level of services will be dramatically impacted if
4 these positions are not filled. The salaries are spread through different accounts, some in enterprise,
5 solid waste, water, etc.

6 Responding to a question from Selectman Espinosa, Mr. Holder stated he and Mr. D'Amico split out
7 different program areas. Within each are different projects and functions, and they divide them
8 according to experience required to accomplish it. It was suggested that areas of responsibilities be
9 added to organizational chart as a way of indicating what kinds of things are handled by whom. Mr.
10 Holder clarified that he handled all water issues, while Mr. D'Amico is in charge of construction and
11 roads. Selectman Espinosa acknowledged that the level of service has increased, but noted that the
12 Board of Selectmen needs to be sure that budget growth does not outweigh the anticipated returns.
13 Mr. Holder responded that the Department of Public Services is on the front line to remedy situations
14 and provide good customer service. He wanted the Board to know how things will be impacted if
15 positions are not filled.

16 Regarding the Storm Water Management Program, Chairman Crowley stated he and Selectman
17 Trindade attended the meeting at which other communities indicated they are feeling the same
18 financial pinch Medway is. He stated that the EPA has backed away from its initial schedule, and
19 regulations will take effect later than expected. He announced that more area meetings are taking place
20 on March 10, as well as a meeting on March 24 in Franklin with the Charles River Association.

21 Ms. Kennedy stated staff will update budget pages as well as budget projection sheets.

22 On another topic, Mr. D'Amico asked that the contract with Greenman Pederson be placed on the
23 agenda for the Selectmen's meeting on Monday, March 7.

24 **Discussion with Treasurer-Collector:**

25 Selectman Dunne noted that salaries are down as well as a lower amount for supplies. Ms. Phillips
26 responded the department no longer uses micro toner cartridges, which were costly.

27 Regarding ambulance billing, the Board wondered why it was not in the EMS account. Ms. Kennedy
28 stated she talked with the Finance Committee who indicated that since it was a one time deal it was
29 better not to be embedded into the budget and then lost. It is specifically aggregated as overtime,
30 though it could really be in either place. Responding to a question from Selectman Trindade, Ms.
31 Kennedy said she would obtain a calculation of overtime costs.

32 Regarding a line item for technical/professional, the Board wondered if any was spent. It was noted that
33 it was put into a different account, intended for expense associated with tax billings.

34 The debt service expense is decreased by \$300,000. Ms. Phillips stated that there is nothing estimated
35 in the budget for a new bond payment in FY12. The Town bonded in August 2010 and included all BANs
36 outstanding. No amounts are necessary for long-term debt except known bond payments. She stated

the Middle School Repair Project will be ongoing with short term borrowing, probably not a bond for a while. Chairman Crowley asked for updated numbers on long- and short-term borrowing.

General Discussion :

Ms. Kennedy stated she met with the Insurance Advisory Committee regarding health insurance plans and that most of the bids coming in are within budget. She will continue to work on getting numbers lower than a 14% increase from last year. Discussion followed on health insurance, retirement benefits, union contributions, increased copayments, and employee contributions. Ms. Kennedy hoped to have more information by the end of March.

Selectman Trindade stated, on the advice of Senator Spilka, Medway should move its Annual Town Meeting back to June, as contributory events will be happening in late April. Discussion followed.

Chairman Crowley asked why unemployment insurance was budgeted higher. Ms. Kennedy responded that she took the current expense and stretched it through 2012, then added six people, prior to receiving information from schools. She analyzed the matter again, and added twelve more for a total of twenty-two people at roughly \$20,000 per person. Selectman Dunne suggested keeping the \$425,000 figure until the school budget is worked out.

At 3:20 PM Chairman Crowley suspended the meeting for a five-minute break and then reconvened.

Selectman Trindade asked what monetary articles were eliminated in order to meet budget numbers. Ms. Kennedy responded that it was a combination of monetary articles and debt service and briefly reviewed that process. Discussion followed.

Selectman Dunne stated that at a meeting with the Finance Committee regionalization of library services was discussed. He learned that a document created by the Acting Library Director on May 4, 2010 regarding regionalization was never released nor discussed at any meetings held by the Trustees. It stated reasons why to do it, and how to accomplish it. He received this document on February 13, 2011. The Board wondered if it should approach the Trustees to see if they would be willing to give it another attempt or to step back until a more motivated group could work on it. It was noted that \$60,000 is in the regionalization fund at this time. After discussion, the Board opted to step back. Selectman Dunne suggested eliminating funding for regionalization at this time. Selectman Trindade commented the Finance Committee recommended having a joint meeting of Trustees, Finance Committee and the Board of Selectmen, then formalizing the effort with a warrant article to create a committee. Selectman Espinosa suggested a non-binding referendum (ballot question) to residents on what they would like to do as community will help the proposed committee in its efforts. Selectman Dunne pointed out that the May 4 document was eleven pages long, and contained a survey.

Chairman Crowley stated he liked Selectman Espinosa's suggestion. Ms. Kennedy will check with the Town Clerk to see if a ballot question can be added at this time. She will also ask Town Counsel for an opinion on whether a charter change to give the Town Administrator authority can be done. Discussion

1 followed on the Board of Library Trustees and its policies, areas needing clarification and changes that
2 could be made.

3 Mr. D'Amico suggested the Board seek advice on how to word a referendum.

4 **School Department Budget:**

5 Ms. Kennedy is to forward a letter to Town Counsel for review, which is a letter to the School Committee
6 about the need to adhere to Board of Selectmen policy.

7 Chairman Crowley stated approximately \$700,000 is not accounted for. Selectman Espinosa agreed,
8 saying it was documented somewhere that their budget should start with the \$23,537,866 figure, yet
9 the FY11 budget as reflected in the FY12 calculation comes in at \$24,024.534. What is their level service
10 budget? Discussion followed. Ms. Pratt will verify numbers from actual accounts for Chairman
11 Crowley. He expressed concern about a big discrepancy between budgets labeled as level service or
12 needs-based; a needs budget should include layoffs.

13 The Board discussed the benefits of scheduling a joint meeting with the School Committee and Finance
14 Committee.

15 The Board acknowledged that running a school system is complicated, but the School Department is not
16 supplying any details to increase understanding. Selectman Espinosa stressed the importance of
17 trusting in the numbers on both sides, as it matters to those with children in the school system and
18 those who do not. Ms. Phillips stated that in order to develop an appropriation budget, the School
19 Department would need to show all sources of funds. It was suggested that the School Committee was
20 deliberately non-compliant. Selectman Espinosa stated he did not like feeling the wool is being pulled
21 over his eyes.

22 Ms. Kennedy suggested meeting with the School Committee, and the Board can ask questions at that
23 time.

24 Selectman Trindade advised holding off on hiring for the Department of Public Services position for
25 three weeks until budget matters are settled.

26 Discussion followed on deficits associated with special education, out of district tuitions, circuit breaker
27 and school choice, outside special education consultant, and overall educational vs. budgetary
28 philosophy.

29 **At 4:35 PM Selectman Trindade moved to adjourn; Selectman Dunne seconded. No discussion. All**
30 **ayes, 5-0.**

31
32 Respectfully submitted,
33 Jeanette Galliardt
34 Board Secretary

**Board of Selectmen's Meeting
March 7, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Richard Dunne and Town Administrator Suzanne Kennedy. Selectman Glenn Trindade was absent.

At 7:04 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Presentation – Planning and Economic Development Articles – Street Acceptances – Portions of Hunter Lane and Ivy Lane

The Board reviewed the following: (1) Article #23 – Overview, (2) Article #24 – Overview, (3) Article #25 – Overview, (4) Email, dated March 2, 2011, from Town Counsel regarding Hunter Lane.

Susy Affleck-Childs stated there are four Planning articles on the Warrant for Town Meeting and briefly described each one. The articles involve changes to the Zoning Bylaw, adding a new area to the Adaptive Use Overlay District, modifying boundaries of parcels with respect to the Commercial Tree Zoning District, and modifications to the Signage Bylaw. The last one focuses on concerns with respect to electronic signs.

Responding to Chairman Crowley's questions on Article #23 involving the donation of land, Ms. Affleck-Childs stated the land would transfer to the Board of Selectmen, not to Conservation.

Regarding Article #24 involving the acceptance of streets, Ms. Affleck-Childs stated she is optimistic the necessary work can be completed in time for action by Town Meeting.

Regarding Article #25 which adds a new area to the Adaptive Use Overlay District, Ms. Affleck-Childs stated a public hearing is scheduled for March 24. This article would allow, by special permit, limited commercial business use in properties located in the Medway Village neighborhood.

Discussion with Legislative Delegation:

Present: Senator Karen Spilka, Representative Carolyn Dykema and Representative James Vallee

Senator Karen Spilka opened the discussion by thanking the Board for the invitation to meet. She stated the budget season is upon legislators as well as communities. Governor Patrick revealed his proposed budget, noting a slight increase in Chapter 70 funds, but cuts in other areas. She stated her personal position that she would prefer a slight *decrease* in the Chapter 70 funds as there is a deficit in the state budget and it would help that. Overall, Chapter 70 and local aid are top priorities, as well as

other ways to get funding to communities, such as PILOT and special education circuit breaker, etc. On a positive note, Senator Spilka added that unemployment is coming down while jobs are slowly on the increase.

Representative James Vallee expressed his appreciation for the invitation, as well as the opportunity to meet back in December. He stated that, with the economy a little better now, he is more optimistic about this year's budget. He noted that legislators do not always follow the governor's lead, but acknowledged it will be hard to avoid some cuts. Chapter 70 and local aid have become more sacred every year, as they fund services available to many people. Representative Vallee commended the Board for its fiscal fortitude remarking that it has wisely utilized its financial tools to manage the Town, digging out of a significant deficit. Regarding municipal relief, he stated pensions must be considered again, as well as health insurance.

Echoing many of her colleagues' remarks, Representative Carolyn Dykema stated it was very helpful to have the December meeting in order to discuss early projections of state revenues. She noted things have not changed much since that meeting, adding that while an early aid resolution is desired, it is difficult to promise when funds are limited. Local aid consists of many different things and there are many pieces to the puzzle. Health care reform is crucial to help get communities back on their feet. Representative Dykema expressed optimism that legislators will be able to deliver a "tool" to help communities.

At this time, Chairman Crowley entertained questions from the Board.

Selectman Dunne stated the Town's health care costs will rise by 32% over the next two years and asked for thoughts on supporting the MMA in taking health care out of union bargaining. Representative Vallee agreed that it could be separated out. Unions are in favor of it but want to share in the savings. Chairman Crowley stated the savings would have to be substantial if they were to be divided. Discussion followed.

Chairman Crowley stated an earlier recommendation was to be conservative in revenue estimates and asked if this was still the case. He stated that every 1% is roughly \$100,000, and noted the School Committee is confident the revenue figures will be close to what Governor Patrick expected. Senator Spilka advised sticking with the 5% cut, just to be safe, stating it is easier to restore cuts rather than execute the cut at a later date. Representative Vallee echoed her remarks.

Selectman Espinosa asked the delegation if the proposed bill to give towns more leverage with unions on healthcare would be passed this year. Senator Spilka and Carolyn Dykema answered yes; the Senate will do its version, the House will do its version, and the committee will hash it out. Asked if they could expect any federal funding this year, all replied no. Rep. Vallee stated that the ways money has been funneled to cities and towns has caused some confusion as to what is recurring and what is not.

Selectman Dunne wondered how communities can fill the holes in their budgets left by lack of funds that were there last year. Representative Vallee agreed there is no good way to deal with this, only that

no one wants to hire people with non-recurring funding only to lay them off later. It raises expectations, and then dashes them.

Selectman Espinosa asked if any attention would be given to road projects, water issues, etc., stating it is hard to funnel money away from hiring teachers for infrastructure issues. Representative Dykema replied there has been some talk of a transportation bond bill, and that she hopes that the primary intent of the bill is for money to come back to towns via Chapter 90 monies. Senator Spilka stated additional funding may be a possibility because it is a bond, adding that she is on the Transportation Committee and going to a meeting this week. The Board was encouraged to contact the legislators if there are other priority projects.

Selectman Espinosa stated there is \$400,000 that is earmarked for the Route 109 Redesign Project, and added that the federal government indicated it has been released to the state. He asked the legislators where it could be; they responded they would look into it.

Selectman Foresto expressed concern for the federally mandated storm water collection regulations that are anticipated. At an estimated \$15-20 million cost, it is a significant amount of money for communities to come up with during a bad economic time. Senator Spilka suggested the EPA did not realize how costly it would be for towns and are backing off somewhat. Representative Dykema stated she would be meeting with the 495 Partnership on March 8 and would find out more information, adding that she too believes the costs are much higher than anticipated. Selectman Foresto asked if compliance could be put off for a year to buy a little time. Discussion followed. Selectman Dunne commended the Director and Assistant Director of Medway's Department of Public Service for being on top of this issue.

Ms. Kennedy asked if the Chapter 90 bond bill would be enacted before April 1 or somewhere in the long term. Senator Spilka replied she doubted it could be done by April 1, hopefully before July. Regarding a joint resolution on the budget this year, she replied that it could happen by the end of March or shortly thereafter.

Chairman Crowley stated the Town needs to make a decision on whether to move Town Meeting from its scheduled date in order to have clearer information on revenues from the state. Representative Vallee responded that it would be wise to hold off making that decision, if possible.

Chairman Crowley opened the discussion to the audience. Ms. Kathy Campbell asked for the legislators' positions on a March 3 article on the JOBS funding for education. Representative Vallee stated sometimes the federal government makes statements about funding that it has difficulty ultimately providing. Senator Spilka added that sometimes funding is required to be used in specific years. Representative Dykema stated she recalled the funding Ms. Campbell mentioned from about a year ago. Ms. Kennedy stated those funds could be rolled over until 2012. Senator Spilka stated they would look into it and get back to her via email.

Chairman Crowley thanked the legislators for meeting with the Board, and for their help in getting projects done. The Board appreciates their accessibility and looks forward to continuing a cohesive relationship.

Representative Dykema asked for a letter from the Town providing the estimated costs of storm water compliance. Chairman Crowley stated he would ask the Director of the Department of Public Services to submit a copy of the storm water study to include with the letter.

Chairman Crowley reminded the Board to forward any transportation concerns to Senator Spilka.

Approval – Emergency Transfer – Veterans Services:

The Board was in receipt of the following: (1) Emergency Transfer Request, dated January 27, 2011, in the amount of \$11,000.

Mr. Anthony J. Mastroianni, Veterans Agent, stated he previously requested emergency funds in 2009.

Chairman Crowley asked Mr. Mastroianni to give the Board an informal breakdown of where the money is spent, caseloads, and reasons why extra is needed at this particular time. Mr. Mastroianni briefly stated that financial assistance is extended to seven cases where health insurance coverage is insufficient, or income sources (Social Security and unemployment) are below eligibility levels. He stated he is requesting an additional \$3,000 from his request dated January 27 as an additional case has come to his attention. The total request is for \$14,000.

Selectman Foresto clarified for residents that 75% of this money is reimbursed from the state, noting that it takes a while for the reimbursement to come.

Selectman Dunne thanked Mr. Mastroianni for his service to the community as he heard Mr. Mastroianni is retiring. He asked if the Town should budget more funds to avoid emergency transfers. Mr. Mastroianni stated that level funding from year to year does not include emergency transfers, and added that he anticipated drastic increases in use of services. He noted that the Department of Veterans Services was the only state department whose budget did not increase. He suggested using actual figures to track from year to year. Ms. Kennedy stated \$35,000 has been budgeted for 2012, an increased appropriation. He recommended budgeting \$44,000.

Mr. Mastroianni stated there are currently 83 Medway veterans on the rolls, and noted last year benefits of \$945,000 were paid on behalf of those individuals.

Chairman Crowley thanked him for the explanation on fund disbursement. He stated the Board felt it was necessary as it is their job as financial overseers for the Town.

Mr. Mastroianni stated he has been the Veterans Agent for 58 years. He stated he has enjoyed close relationships with town administrators, though more recently he did not feel there was one. He

expressed disappointment at having to speak to assistants rather than the Town Administrator, and had difficulty getting an appointment when he wanted one.

Ms. Kennedy stated the Veterans Agent serves several communities, and efforts are being made to create a “district” comprised of those communities, in order to have one agent for them collectively. Chapter 115 of Massachusetts General Laws states that upon the retirement of the current agent, each community will have to have a full time agent. A “district” approach would replicate the representation Medway presently has. Discussion followed. Chairman Crowley asked Ms. Kennedy to include as an Action Item a call to Mr. Mastroianni regarding the transition from one agent to another.

Mr. Mastroianni thanked the Board and taxpayers in Medway for untiring financial support. He stated he never had a veteran say there was adverse support.

Selectman Foresto moved that the Board approve Veterans’ Services emergency transfer request in the amount of \$14,000 in order to meet the estimated financial requirements related to services for the remainder of FY11; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

School Committee Report from School Committee Liaison:

Ms. Carol Bernstein, School Committee member, stated the tentative date for a joint meeting between the School Committee and the Board of Selectmen is March 15. She stated Ms. Deb Trindade was attempting to get confirmation of attendees in order to confirm the date.

Ms. Bernstein stated the School Committee presented its budget at a public hearing last week. Selectman Espinosa stated the Board had not received a budget from the School Committee that meets the Board’s budget policy. He cited specifically the line item labeled “undefined”, representing over \$500,000. He reiterated that it is the Board’s responsibility for allocating the Town’s revenues and they need proper information from all areas in order to do that prudently.

Chairman Crowley stated that, at today’s meeting, he made a point of asking the Superintendent of Schools and the Chairman of the School Committee if there would be any further reports coming to the Board. No was the response he received, along with a caveat that if any further information was desired, the Board should request it via email. Other than a report on grant funds, no additional information was forthcoming, and the School Committee feels the budget book already submitted is ample. Town Administrator Suzanne Kennedy stated the Selectmen want to see expenses allocated to appropriate funding sources. Ms. Bernstein responded that last week’s presentation contained that information, and that the information has been entered into the MUNIS system. Chairman Crowley stated the overall budget was entered, but the lump sum of \$588,000 still has not been deducted from appropriate line items within the School Department’s budget.

Selectman Dunne asked why the Board has to fight to get information every year. He listed different budget figures, noting that none of them match, in different incarnations of the budgets submitted.

Instead of the requested budget, the School Committee submitted a notebook which did not meet the Board's budget policy.

Chairman Crowley pointed out that, by going back to the 2010 Town Meeting articles, the warrant article specific to the school budget stated \$23,555,000. Yet, the beginning budget outlined in the submitted budget book received showed the FY11 number to be \$24,273,362. He asked Ms. Bernstein to identify the discrepancy. She responded that was the reason the two groups needed to meet.

Chairman Crowley continued by stating that additional funds of \$624,000 came in after Town Meeting, and wanted to know where it is now. He stated the Board is unable to track where the money came from and how the School Committee arrived at the numbers presented in the budget. Ms. Bernstein responded that it was her understanding the funds were in the circuit breaker account, and repeated her assertion that the two groups need to meet as they each look at numbers differently. She added that the budget has been on the school website for weeks.

Selectman Espinosa stated the Board is faced with a budget that is not even close to what schools are requesting, emphasizing it cannot sustain the level of recurring costs, as was predicted in 2009. He cautioned that the Board may not be able to close the gap, and looking ahead to next year, knows it cannot based on the information submitted thus far. Ms. Bernstein insisted the details are in the budget, and that the two groups need to trust each other.

Selectman Dunne reminded Ms. Bernstein it is the Board's responsibility to put forth a number at Town Meeting, representing three schools, including Norfolk County Regional and the Agricultural School. He stated the Board feels like it is getting no help from the School Committee. Ms. Bernstein disagreed, repeating the information is in the budget. She stated she would get the presentation and send it to the Board, reiterating the need to get together.

Ms. Kennedy stated the School Committee presentation to which Ms. Bernstein repeatedly references does not reconcile with the budget book submitted. She stated that she may have misspoken regarding the "undefined" category funds, acknowledging that funds may be set aside for future years. Ms. Kennedy supported the Board's request, noting that it needs a document showing allocation to different funding sources. Selectman Dunne stated the realigned budget was helpful, but still not the one requested by the Board.

Chairman Crowley, speaking as a resident, stated his concern that a level service budget used to be what the Town received from the School Department. Now it receives a needs budget. He asked why a level service budget is not longer what is submitted. He predicted that the preparation of a level service budget would reveal that no cuts are necessary and advised that, in tough economic times, a level service budget is more fiscally prudent.

Selectman Dunne repeated that it is the role of the School Committee to set a budget for the schools, but that the role of the Board of Selectmen is to set a budget for the entire Town, which includes the schools. When incomplete information is submitted, this is a very difficult, if not impossible, task.

Chairman Crowley stated he would like an opportunity to sit down to develop a level service budget, and asked Ms. Bernstein to contact Ms. Kennedy with a confirmed meeting date of March 15 for the joint meeting.

Request to Add Location to Class 2 License:

The Board was in receipt of the following information: (1) Memo, dated March 4, 2011, from Allison Potter, regarding the request; (2) Class II Motor Vehicle Application from Barry Roth, dated February 17, 2011; and (3) copy of Class II Used Car Dealer License, issued to MWAG Auto, Inc., expiration date of January 2012.

Present: Robert Potheau, property owner; Barry Roth, Owner, Medway Imports.

Mr. Robert Potheau stated he is the owner of the property at 2 Main Street, and lives in the house next door. He stated the previous tenant at 2 Main Street went out of business and Mr. Roth is interested in moving his business to that location.

Responding to a question from Chairman Crowley, Mr. Roth stated he intends to move his business completely from 16 Main Street to 2 Main Street, maintaining the license at 16 Main until he leases that location. Mr. Potheau clarified that both locations will be in operation for a very short period of time. Once the business and license are completely at 2 Main Street, the location (and license location) at 16 Main Street will be surrendered. Discussion followed.

Selectman Foresto moved that the Board approve the addition of 2 Main Street to Barry Roth's Class 2 license and that the condition on the former license for the 2 Main Street location remain the same for Mr. Roth's Class 2 business at this site; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Action Items from Previous Meeting:

Due to the fullness of the agenda, the Board opted not to discuss Action Items.

DPS Update – Water Department Issues:

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Assistant Director, Department of Public Services; Sarah Pawluczzonek, Executive Assistant, Department of Public Services.

Also Present: Water & Sewer Commission: Peter Gluckler, Chan Rogers, and Robert Wilson.

Selectman Foresto asked about the water meter update and issues encountered. He stated he has received complaints about excessively high water bills.

Mr. Holder provided a general overview of the program, noting it is 63 – 67% complete with final completion expected by late spring or summer. He noted logistics, operations and billing issues always come up in a meter changeout. Two districts have been read with the new meters, and so far there have been 113 adjustments made by the department and 19 Board approved abatements. Mr. Holder stated some discrepancies occur when the outside auto reader does not keep pace with the accuracy with the inside meter, which is the final word in billing. Thus, when replacements show new readings this can be a surprise to the user. Corrections can be handled through payment plans as well as pro-rating rates to prior years' actuals. Payment programs of 6, 12 or 24-months have been set up.

Mr. Holder stated there were a lot of idiosyncrasies in ways bills were previously prepared, and now the department is modifying its procedures. He invited homeowners to come in to discuss concerns.

Responding to a question from Selectman Dunne, Mr. Holder stated that, if pipes are too old and installation of the new meter will damage plumbing, they hold off on the meter. The contractor can replace the pipes, at the homeowner's expense, and a 12-month payment plan can be set up to spread out the costs. He noted that this occurs in mostly older homes where the pipes are almost 60 years old.

Selectman Espinosa asked who is responsible for maintaining the accuracy of the data collection, i.e., the connection between the inside and outside meters. Mr. Rogers stated the outside meter was originally installed as a convenience to homeowners so they would not have to let someone into the house to read the basement meter. The new meters are read electronically. Mr. Holder stated it is technically the Town's (Department of Public Services) responsibility. Regarding grandfathering, Mr. Wilson stated the commission talked about it. Their conclusion was that the water was used, and should be paid for in some way. Payments can be stretched out, and hardship cases are considered.

Discussion followed on the water rate study analysis, water usage levels, water tower on Highland Street, contract for services study and building accounts to soften impact of Charles River project coming online in 2016.

Authorization of Chairman to Execute Contract with Mark D. Abrahams d/b/a The Abrahams Group for Water and Sewer Cost of Services Study:

The Board reviewed a Contract, dated February 24, 2011, relative to the Water and Sewer Cost of Services Study.

Present: Tom Holder, Director, Department of Public Services; David D'Amico, Assistant Director, Department of Public Services; Sarah Pawluczzonek, Executive Assistant, Department of Public Services.

Chairman Crowley asked how this study would be funded. Mr. Holder replied the cost was split 50/50 between the department's budget and enterprise funds.

Regarding the contract, Chairman Crowley asked that “and sewer” be added to first line of contract. He asked if Crystal Reports are included in the fee or would be extra. Mr. Holder stated the consultant will not need to create a report.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract with the Abrahams Group for an amount not to exceed \$11,900 to perform a water and sewer cost of services study conditioned upon receipt of the insurance contract endorsement for additional insureds and provision of 30 days cancellation notice, and that the contract be amended to add the words “and sewer” per the Chairman’s comments; Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Chairman Crowley complimented Executive Assistant Sarah Pawluczzonek on her pleasant and professional demeanor. He stated he has received numerous comments from residents saying it is a pleasure to speak with her in the office.

Authorization of Chairman to Execute Contract with Dankris Builders for Re-Screening of Populatic Street Well:

The Board was in receipt of the following information: (1) Letter, dated January 24, 2011, from Haley and Ward, Inc., regarding bids for the re-screening project; (2) Bid document; and (3) draft contract.

Present: Tom Holder, Director, Department of Public Services; David D’Amico, Assistant Director, Department of Public Services.

Chairman Crowley stated the document submitted was not complete. Mr. D’Amico responded it was submitted so that the Board could see what was involved. Chairman Crowley asked that the completed document be submitted for the Selectmen’s meeting on March 21.

Authorization of Chairman to Execute Contract with Greenman-Pedersen, Inc., for Engineering Services for Route 109 Design:

The Board was in receipt of the following information: (1) Contract for Professional Engineering Services; (2) Critical Path Timeline prepared by Greenman-Pedersen, Inc.

Present: Tom Holder, Director, Department of Public Services; David D’Amico, Assistant Director, Department of Public Services

Mr. Holder stated the department has received a state grant of \$300,000. He explained that Phase 1 is to secure engineering services to get the Town to the state required 25% design point. After that, a public hearing is held, input collected, then submit to the Department of Transportation for their TIP list. Getting approved for the list allows potential access to additional funds for the project. Mr. Holder stated they would like to get to the 25% design point quickly in order to get the project going.

Selectman Dunne asked why the full amount was requested. Mr. Holder replied the contract is two-part, and is task-based. At this time, authorization for only Phase 1 is requested.

Selectman Espinosa stated he too had concerns about the way the contract was written, and Town Counsel was consulted earlier. Town Counsel advised that any motion put forth to the Board condition the action on approval by Town Counsel and availability of funds.

Selectman Espinosa moved that the Board authorize the Chairman to execute a contract with Greenman-Pedersen, Inc., for a sum not to exceed \$689,354.52 to perform engineering services for the Route 109 redesign (\$274,924 for preliminary design and \$414,430.52 for final design) contingent upon approval by Town Counsel and subject to the availability of funds. Town Administrator Suzanne Kennedy stated her conversation with Town Counsel allayed concerns that the contract was unclear. All ayes, 4-0.

Review and Approval of Annual Town Meeting Warrant:

Selectman Dunne asked if this matter would be postponed until the March 21 meeting. As the Warrant is lengthy, this would allow adequate time for review. The Board agreed. Chairman Crowley asked that each selectman be familiar with each article to expedite that discussion.

Authorization of Chairman to Execute Contract with George E. Sansoucy, P.E., LLC for Appraisal Services:

The Board received the following information: (1) Memo, dated March 7, 2011, from Will Naser, Principal Assessor, regarding appraisal services; and (2) Contract, dated December 10, 2010, from George E. Sansoucy, relative to appraisal services.

Town Administrator Suzanne Kennedy stated Mr. Sansoucy has an international reputation, and would be available if the Town is asked to go to the appellate court to defend appraisals for the power plant. Mr. Will Naser, Principal Assessor, confirmed this.

Chairman Crowley stated a previous consultant stated the Town was grossly underestimating the value of the property. Mr. Naser responded different valuations are being used now. Ms. Kennedy stated this power plant is available for peak times, not all the time, and the assessment could be changed. She stated that consultant is also available if the Town needs him in court. Discussion followed.

Selectman Espinosa asked what the cost would be if an appraiser without Mr. Sansoucy's credentials were to do the appraisal. Mr. Naser estimated \$7,500 to \$12,000.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract with George E. Sansoucy for an amount not to exceed \$20,000 to provide appraisal services; Selectman Dunne seconded. Mr. Naser stated he did not think it would go to court. Town Counsel has reviewed the contract and suggests the contract be modified to reflect a new completion date (presently says March 1, 2011). Motion amended to include friendly amendment. All ayes, 4-0.

Presentation -- Thayer Development Committee:

Mr. Dan Hooper, Chairman, Thayer Development Committee, reported the group has had an exciting month. They have been meeting regularly and recently publicized an RFQ (Request for Qualifications) on the project. He stated that thirty-five architectural firms responded. Of those, seventeen toured the project on January 20. Eleven firms submitted formal conceptualizations. After evaluation and ranking, the committee invited the top four in for interviews, which concluded March 3. The committee considered each firm's work experience, their "Thayer approach," the collective experience of that team (landscape, estimators, historians, architectural, etc.), dedication of that team, experience of the lead individual, and presentation skills. Mr. Hooper reported that Davis Square Associates of Somerville is the committee's choice by unanimous vote. He said the firm has experienced managers, a complete team of professionals, and a comprehensive vision for the project, which included the entire area, center of town, park, etc. Mr. Hooper remarked that this team paid close attention to information presented by the committee, and in a short period of time, they "got it." He added that he made the presentation to the Community Preservation Committee this evening, which voted unanimously to support the effort.

Discussion followed on contract preparation, timeline, cost estimates, possible 3D representation of the end project, and a presentation with an expanded approach of the committee's perspective and vision. Mr. Hooper stated he would be happy to meet with the Board again with that information. Ms. Kennedy advised Mr. Hooper to deliver the contract to the Board as soon as possible, utilizing Town Counsel services to review all contract documents.

Vote to Extend Selectmen Meeting Past 10:00 PM:

At 9:52 PM Selectmen Espinosa moved that the Board continue its meeting past 10PM; Chairman Crowley seconded. This action is required by Town Bylaws. No discussion. All ayes, 4-0

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-36, dated 3/10/11, submitted for approval:

11-36	Town Bills	\$781,825.22
11-36S	School Bills	\$74,188.22
TOTAL		\$856,013.44

Selectman Espinosa moved the Board approve Warrant #11-36, dated 3/10/2011, in the amount of \$856,013.44; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Town Administrator's Report:

Town Administrator Suzanne Kennedy reminded the Board of the workshop on March 10 which would focus on storm water matters, adding that she would also send an email reminder.

Ms. Kennedy stated there will be a meeting of the CWRA, also on storm water issues, to be held on March 24 in Franklin.

Ms. Kennedy stated the vacancy has been posted for the position of Veterans Agent, noting this individual serves the communities of Holliston, Hopkinton, Norfolk, Hopedale and Medway. The vacancy is posted on each community's website. She stated she met with colleagues from those communities with the idea of forming a district comprised of their communities. They believe that if they form a district, they will not have to increase the position to full time. Once hired, the new agent will be introduced to each community, meet with the public, etc. Ms. Kennedy stated she spoke with Millis officials about joining with the group. Responding to a question from Selectman Foresto, she stated the individual is on the Town payroll, but as more of a consultant, with no benefits. Responding to a question from Selectman Espinosa, Ms. Kennedy stated Medway can withdraw from the district if the quality of service is diminished. She will send out an email clearly defining the processes involved in veterans administration.

Selectmen's Reports:

Selectman Foresto distributed a small flyer publicizing Medway's 300th anniversary which was inserted with tax bills sent out to residents.

Selectman Espinosa asked the Board what could be done to get a budget from the school. Chairman Crowley stated that, at the December meeting with the School Committee, it was made clear that the Town was asking for three levels of budgets, with a fourth to come later. Similar budget documents from the Town of Ashland were submitted to the School Committee as a guideline, yet the School Committee walked away with a completely different idea of what transpired. Ms. Kennedy stated she wrote to Town Counsel about the situation, and is awaiting that legal opinion. Selectman Espinosa stated his frustration that the School Department has deducted the \$588,000 needed to fund its FY12 budget somewhere within the budget. Selectman Dunne echoed those sentiments, asking that the \$588,000 be defined. Selectman Espinosa suggested the Board vote to demand an explanation of the undefined \$588,000 figure. Discussion followed.

Selectman Foresto predicted that residents will want to know where the deductions will come from, teacher cuts, larger class sizes, supplies, or whatever.

Chairman Crowley moved that the Board retransmit an updated version of the previous letter submitted to the School Committee requesting a breakdown of the undefined amount into the

individual line items in their budget, stipulating that if they will not do it, that they respond in writing that they are declining to provide this information. Their response is requested by March 15. Selectman Dunne seconded. No further discussion. All ayes, 4-0.

Discussion followed on MUNIS funding, budget documents from the Town of Ashland levels 1,2,3, and alleged ambiguity in instructions.

Ms. Kennedy stated the report requested by Chairman Crowley had been written by a consultant. Regarding reports compiled by the Town Accountant, Chairman Crowley asked for those to be distributed to the Board and asked Board members to look at it closely.

Approval of Minutes:

The Board reviewed draft minutes of public session meetings held on January 3, 2011 and January 19, 2011.

Regarding the minutes of January 3, 2011, Chairman Crowley asked the reference to Town Election on page 1 be amended to read "Town vote relative to Middle School debt exclusion". There were no other corrections.

Selectman Foresto moved that the Board accept the public session minutes of January 3, 2011, as amended; Selectman Espinosa seconded. No discussion. Split vote – 3-0-1: aye, Foresto, Espinosa, Crowley; abstain, Dunne (was absent from the January 3 meeting).

Regarding the public session minutes of January 19, 2011, Chairman Crowley asked that the DVD of the meeting be reviewed to clarify lines 27-34 on page 5. The minutes will be resubmitted for approval.

At 10:33 PM, Selectman Foresto moved to adjourn; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
April 19, 2011, 6:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Dunne arrived at 6:45PM.

Also Present: Barbara Saint André, Town Counsel; David D'Amico, Deputy Director, Department of Public Services; Melanie Phillips, Finance Director and Treasurer/Collector.

At 6:30 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 6:36 PM Selectman Foresto moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, and to return to public session upon adjournment; Selectman Trindade seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 4-0.

At 6:47 PM Chairman Crowley reconvened the public session.

Public Comment: None

Discussion of Warrant Articles with Town Counsel:

Present: Barbara Saint André, Town Counsel.

Taking advantage of Town Counsel's attendance at the earlier Executive Session, Chairman Crowley deviated from the meeting agenda to briefly discuss a couple of warrant articles that required her expertise.

Regarding the article on the Affordable Housing Trust, Chairman Crowley stated the Trust did not want to be held to specific "buckets" of money and then return to the Community Preservation Committee for additional money or reallocation. They want to be able to transfer money from "bucket" to "bucket". Chairman Crowley stated the Board wanted to be sure that kind of practice was legal.

Ms. Saint André stated that the person/entity giving the money can specify where it can go or the Community Preservation Committee can basically place trust in the Trust. Ms. Saint André stated there is typically a grant agreement defining what the money will be used for, and that agreement is binding. She stated the specifics need to be in the Town Meeting motion, just to memorialize it. She suggested the language, "subject to the grant agreement (Memorandum of Understanding) between the Community Preservation Committee and the Affordable Housing Trust" or words to that effect.

Town Administrator Kennedy asked for clarification as to whether the specific “buckets” should also be identified in the motion. Ms. Saint André said they should be listed, and include “subject to” language. The Community Preservation Committee can then speak to the motion. Discussion followed.

Regarding Article 22, Town Administrator Kennedy reminded the Board that Selectman Espinosa had previously requested an explanation of the changes in the charter with reference to the Library Board of Trustees, as well as a summary paragraph so that public knows what the changes will mean.

Ms. Saint André stated she wrote a paragraph for inclusion in the article explaining the changes.

The Board will revisit matter at the next meeting.

Housing Trust – Consultant Position:

Present: Barbara Saint André, Town Counsel.

The Board asked for Ms. Saint André’s official opinion on the matter of a consultant position with the Affordable Housing Trust. It was noted that the Trust believes that individual would report directly to the Trust. Ms. Saint André stated the Affordable Housing Trust is a legal entity with the authorization to hire people and pay them for their services; however, there will be no benefits provided by the Town. Town Administrator Kennedy will report back to the Trust.

Acknowledgement – Letter from Jim Lorenzen to Board:

The Board was in receipt of a letter, dated April 3, 2011, from Mr. Jim Lorenzen, 8 Sunset Drive.

Chairman Crowley read aloud the letter in which Mr. Jim Lorenzen thanked the Police Department, Fire Department and EMT’s for assisting him during a medical emergency. Chairman Crowley expressed appreciation for the acknowledgement and extended that appreciation to EMT’s, Fire and Police Departments.

Action Items from Previous Meeting:

#2 – DPS Facility Feasibility Study: Chairman Crowley asked this be removed from the list as it has been approved.

#3 – Route 109: Selectman Dunne asked for a copy of the presentation. Selectman Espinosa stated the public meeting with full presentation by the design engineers is scheduled for May 4. This item will also be moved from the list.

Public Hearing – Intent to Lay Out Portions of Ivy and Hunter Lanes as Public Ways:

The Board reviewed a Memo, dated March 23, 2011, from Andy Rodenhiser, Chairman, Planning and Economic Development Board regarding layout of Ivy and Hunter Lanes.

Present: Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator; residents of Ivy and Hunter Lanes

At 7:10 PM, Selectman Espinosa moved to convene a Public Hearing for the purpose of discussing the Town's intent to lay out portions of Ivy and Hunter Lanes as public ways; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Ms. Affleck-Childs briefly reviewed the portions under discussion. She stated the paperwork is progressing, and she has reviewed the matter with Town Counsel. For the benefit of the assembly and viewers, she reviewed the process of accepting a street, noting that sometimes a repair or construction has to be effected in order to complete it. The Town Meeting article will move the process forward to secure the title. After approval, the Town has 120 days to complete the process.

Chairman Crowley asked if there was any public comment. Residents in attendance were all in favor of this process. Selectman Espinosa commended the residents for their support and participation.

At 7:17 PM, Selectman Trindade moved to close the public hearing; Selectman Dunne seconded. Ms. Affleck-Childs clarified that the vote to accept the streets will be at Town Meeting. All ayes, 5-0.

Chairman Crowley resumed the public session.

Authorization to Expend 911 Grant Funds:

The Board reviewed the following information: (1) Letter, dated November 29, 2010, from the Executive Office of Public Safety and Security including contract between the parties; and (2) Notice of Grant Award, dated April 11, 2011, noting receipt of "911 Department of Support and Incentive Grant".

Present: Allen M. Tingley, Chief of Police; Lt. William Boultenhouse, Medway Police Department.

Chief Tingley briefly reviewed how the grant funds will be used, specifically, \$24,000 for the dispatch center upgrade, and the remaining funds to train dispatchers. Brief discussion followed.

Selectman Trindade moved that the Board provide authorization to the Police Department to expend the 911 Grant Support and Incentive Grant funds provided by the Executive Office of Public Safety and Security in an amount not to exceed \$29,756.00 for the purpose of completing upgrades to the Dispatch Center. Selectman Dunne asked about funds set aside by the Capital Improvement Planning Committee. Chief Tingley responded that those funds are being used for furniture, to move conduit and other related electrical work. Discussion followed. All ayes, 5-0.

Approval – Proposed Healthcare Plan:

The Board reviewed an email, dated April 14, 2011, from the Insurance Advisory Committee to Sue Ellis, Human Resources Director.

Present: Edd Byrnes, Healthcare Consultant; Sue Ellis, HR Director

Mr. Edd Byrnes introduced himself to the Board and distributed a summary of the proposed healthcare plan for the Town. He briefly reviewed the discussions held with various healthcare groups. Mr. Byrnes noted the Insurance Advisory Committee was very helpful in this matter. He discussed premiums, healthcare reimbursement accounts, copayments, changes in fees, various plans, as well as additional plans for seniors. He advised that the Town move to the Tufts Health Plan. He stated it was also beneficial that changes at the state level are in line with this proposal. Discussion followed.

Selectman Trindade moved that the Board of Selectman vote to authorize moving the Medway employee health plan from Harvard Pilgrim Healthcare to Tufts Health Plan, effective July 1, 2011; Selectman Foresto seconded. Discussion on budgeting and reserve accounts followed. All ayes, 5-0.

Appointment of Temporary Veterans Agent – Anthony Mastroianni:

Ms. Kennedy reported that the Town is required to have a Veterans Agent. She stated she spoke with the Department of Veterans Services who indicated that as Mr. Mastroianni was the previous agent, they would allow his short term appointment even though he retired.

Selectman Trindade moved that the Board appoint Anthony Mastroianni as Temporary Veterans Agent for the term April 1, 2011 to June 30, 2011; Selectman Dunne seconded. No discussion. All ayes, 5-0.

School Committee Report from School Committee Liaison:

Ms. Deb Trindade, Chairman, School Committee, stated she had no report at this time and was present as an observer.

Authorization to Borrow – Treasurer/Collector:

The Board was in receipt of a summary of the bond proposal and projects covered.

Ms. Melanie Phillips, Treasurer/Collector, briefly explained the necessity for the proposed Bond Anticipation Note. The bid date (total of \$5,680,000) will be on May 4, 2011. Funds will be used to support the following projects:

\$5 million for Middle School Repair Project, voted November 15, 2011, Article 8 – Debt exclusion
\$550,000 for Water Tank Replacement, voted November 16, 2009, Article 2
\$120,000 for Water Meter Replacement, voted June 15, 2009, Article 14
\$10,000 for Sewer Master Plan, voted December 2, 1996, Article 19 (this is to refund borrowing approved by the Board of Selectman at the beginning of the fiscal year).

Selectman Foresto moved that the Board authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow \$5,680,000 as a Bond Anticipation Note for the Middle School Repair Project and named Water and Sewer projects; Selectman Trindade seconded. Responding to a question from Selectman Espinosa, Ms. Phillips stated the Town always borrows some amount to start projects based on anticipated cash flow requirements for the next two years. Chairman Crowley clarified that all projects were approved at Town Meeting. All ayes, 5-0.

Adoption of Annual Town Meeting Warrant Recommendations:

Present: Melanie Phillips, Treasurer/Collector; David D'Amico, Deputy Director, Department of Public Services.

There was a brief discussion on funding for Articles 5, 6, and 7. It was decided that the Selectmen will meet again on Monday, April 25, at 7:30 AM to discuss further.

Ms. Melanie Phillips, Treasurer/Collector, handed out updated spreadsheets showing debt service over the next ten years, noting that she used current water rates with a possible increase of 2% each year and the assumption that the Route 109 water main project will be funded by grant money. There was discussion on water mains, new truck, and retained earnings depletion. Selectman Foresto suggested looking at all capital improvement projects to see the rate structure for those bonds and related debt service. Selectman Trindade stated the rate study will come back with recommendations. Mr. David D'Amico stated the rate study should be done by the end of May. Discussion followed. Town Administrator Kennedy clarified that an appropriation for funding demonstrates to the Department of Environmental Protection that the Town is willing to comply, whether or not the project is mandated.

Article 5 – Water Enterprise Borrowing: Selectman Trindade moved that the Board approve [support] the article; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Article 6 – Route 109 Water Main: Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Article 7 – Water Resources Management Program: Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. Split Vote, 3-2 – ayes, Foresto, Trindade, Crowley; oppose, Espinosa and Dunne.

Article 20 – Approve Settlement(s): Sewer Extension Project Claims: **Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. Split vote, 4-0-1. Selectman Dunne abstained as he was not present for the discussion.**

Mr. D’Amico reported to the Board that the Water Master Plan has been completed.

Appointment to Medway Pride Day Committee – Brenda Wentzel:

The Board reviewed a letter of interest, dated April 5, 2011, from Brenda Wentzel, 7 Gable Way.

Selectman Foresto moved that the Board appoint Brenda Wenzel to the Medway Pride Day Committee for a term to expire June 30, 2012; Selectman Trindade seconded. No discussion. All ayes, 5-0. Chairman Crowley thanked Ms. Wentzel for volunteering.

Approval – Medway Youth Baseball Annual Parade (5/1/11):

The Board reviewed a memo, dated April 7, 2011, from Allen Tingley, Police Chief, and email thread between Chief Tingley and Tim Rice, Medway Youth Baseball Board.

Selectman Foresto moved that the Board approve the Medway Youth Baseball Parade scheduled for May 1, 2001 with the provisos stipulated by Chief Tingley in his memo dated April 7, 2011; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Approval – American Cancer Society Century Ride (6/12/11):

The Board reviewed a memo, dated March 18, 2011, from Allen Tingley, Police Chief, and a letter, dated March 8, 2011 from Holly Maki (American Cancer Society project manager) and Charlie Roberts (volunteer route director).

Selectman Trindade moved that the Board approve the American Cancer Society’s *Bicycles Battling Cancer Ride* proposed to go through Medway on June 12, 2011 with the provisos stipulated by Police Chief Tingley in his memo dated March 18, 2011; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Approval – Medway Turkey Trot (11/24/11) – 5K Road Race:

The Board reviewed a memo, dated March 18, 2011, from Allen Tingley, Police Chief, and an email, dated March 14, 2011, from Charles Dyer, et al.

Selectman Trindade moved that the Board approve the *Medway Turkey Trot 5K* road race scheduled for November 24, 2011 with the proviso stipulated by Chief Tinley in his memo dated March 18, 2011; Selectman Dunne seconded. Selectman Trindade stated this event is a fundraiser to benefit the Medway High School Athletic Department. All ayes, 5-0.

Approval – Braking the Cycle (9/16/11) – Bicycle Ride:

The Board reviewed a memo, dated April 14, 2011, from Allen Tingley, Police Chief, and a letter, dated March 20, 2011, from Steve Bratton, Logistics Coordinator for “Braking the Cycle.”

Selectman Foresto moved that the Board approve *Braking the Cycle’s* proposed ride through Medway scheduled for September 16, 2011; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Approval of Warrants:

Selectman Foresto read aloud combined Warrant 41/42, dated 4/21/11, submitted for approval:

11-42 Town Bills	\$ 981,339.07
11-42S School Bills	226,549.97
11-41P Gross Payroll Town	194,427.25
TOTAL	\$1,402,316.29

Selectman Trindade moved that the Board approve Warrant 41/42, dated 4/21/11, in the amount of \$1,402,316.29; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Town Administrator’s Report:

Town Administrator Kennedy reported she has been working with several communities (Holliston, Hopkinton, and Ashland) to consider forming a new Veterans Services district with Medway. Medway currently belongs to a district with Norfolk, Hopkinton, and Hopedale. Such a district would be advantageous, less expensive and more efficient than if Medway were to go it alone. If forming a district, it would require a full-time agent with part-time assistant and a part time-clerical worker. Ms. Kennedy said she will have more information at the next Selectmen’s meeting.

Ms. Kennedy extended thanks to the Insurance Advisory Committee for working enthusiastically and diligently on securing a favorable healthcare plan.

Selectmen's Reports:

Selectman Foresto reported the architect and landscape architect for Thayer House project walked the property last week. He is optimistic that architectural renderings will be available at Town Meeting.

Selectman Espinosa updated the Board on the Route 109 project. He read a letter from Christopher Philbin which confirmed the \$400,000 earmarked for the project was not impacted by the continuing resolution passed by Congress. Medway's Chief Procurement Officer (Ms. Kennedy) should send a letter noting compliance, which will start the process to get the funds released. He encouraged everyone to attend the public meeting at the high school on May 4 where initial design concepts will be presented.

Selectman Dunne reported that, in a recent conversation with Representative Dykema, she was optimistic for a substantial increase in circuit breaker funds.

Chairman Crowley noted that the School Building Committee asked for a recommendation for legal services for the Middle School Repair Project, said services to be billed on an hourly rate, and there is no need for the Selectmen to make commitment or contract. Regarding construction, he stated that eight proposals have come in thus far, and that selection may be made by May 6.

Approval of Minutes:

The Board reviewed draft minutes of public sessions held on February 7, 2011 and February 22, 2011.

Selectman Trindade moved that the Board approve the public session minutes of February 7, 2011, as drafted; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Regarding the February 22 minutes, Chairman Crowley stated that the reference to updating the school website should reference the 'per student spending charge' instead of the 'student population information' on page three.

Selectman Trindade moved that the Board approve the public session minutes of February 22, 2011, as corrected; Selectman Foresto seconded. No discussion. All ayes, 5-0.

At 8:25 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Respectfully Submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
April 25, 2011, 7:30 AM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Glenn Trindade, Selectman Dunne, Selectman Andrew Espinosa and Town Administrator Suzanne Kennedy.

Also present: Carol Pratt, Town Accountant

At 7:38 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Discussion – FY12 Budget:

The Board reviewed revised budget information.

Norfolk Agricultural – This line item changed due to a revised assessment.

Assessors Office – A consultant has been hired to serve as an expert witness and may be able to increase utilities valuations by \$15 million for gas and electric. The tax bills would be adjusted following a valuation. Discussion followed. Selectman Espinosa suggested the consultant be available at Town Meeting to answer questions. The Board asked to see the proposal. Ms. Kennedy stated this would be a one time cost that will help for years to come. Selectman Dunne wondered if legal fees would be included in this amount.

Legal Fees – There is a \$25,000 increase, mostly due to expenses for appellate tax court on June 7. Ms. Kennedy stated the original fees did not include the expert witness fee. She also stated there is an annual contract with Barbara Saint André as Town Counsel, but labor litigation expense is separate. Selectman Dunne suggested a separate counsel for labor issues. Chairman Crowley stressed the importance of having the same firm as the School Department uses. Ms. Kennedy commented the School Department is not particularly pleased with their present counsel. Discussion followed. Chairman Crowley suggested waiting until School Committee changes leadership and then approach that person to revisit the matter.

Brief discussion followed on health insurance and unemployment allotments.

Snow and Ice Removal -- The budgeted amount was increased to \$425,000. Selectman Trindade commented that once a budget line item is increased, it cannot be lowered (state law). If a budgeted amount is not used, the remaining funds fall to free cash. Discussion followed on use of stabilization funds, Town Meeting processes and storm reserve funds.

Veterans Agent -- Ms. Kennedy stated Medway, Holliston and Hopkinton and possibly Ashland are trying to become a Veterans District. There is a requirement of communities over 12,000 in population to hire a full-time Veterans agent. Staff requirements for a four town district would include a full-time director, part-time agent and part-time clerical. She clarified that because Medway's current Veterans Agent retired, new rules come into play.

Final page -- Changes on the final page reflect offsets to cherry sheet amounts.

The Board then entertained questions on other departments/line items not previously discussed today.

School Department -- The Board was optimistic that this was now finalized. Brief discussion followed.

Norfolk Agricultural -- It was noted that the state gives them aid, and the school receives revenue from leasing out portions of the building it does not need for school purposes. Brief discussion followed.

Conservation Commission -- It was clarified that there was change in staff versus consulting fee expense. Initially the commission shared a staff person with Holliston via contract. The decrease in the budget reflects the elimination of the night board secretary. It was noted that the Board will need to appoint another person to the commission due to a resignation.

Enterprise Accounts -- Ms. Kennedy recommended postponing a decision on a new ambulance until the fall Town Meeting as the Town does not have the cash flow to fund the purchase at this time. Chairman Crowley expressed concern that the unit price at \$195,000 does not include particular equipment.

Regarding the format of the budget report, Selectman Espinosa stated he would like to see the report formatted so that the proposed budget amounts appear next to actual expense amounts. He stated he is not fond of letting unused amounts fall to free cash, and would instead like to operate within the limits of the budget. He asked Ms. Pratt if the proposed budget gives a free cash amount of \$500,000. She responded that the Town did well on excise tax and investments. Discussion followed.

Discussion followed on remaining allocations, free cash, economic recovery, budget transfer process, road projects, capital expenditures and fiscal responsibility. Regarding \$145,000 left in reserve, a show of hands indicated that Selectmen Dunne, Foresto and Trindade would opt to leave the money in reserve. Selectman Foresto suggested waiting for recommendation from the Facilities Committee before deciding how to spend excess money.

Regarding \$30,000 remaining in the operating budget, Ms. Pratt suggested putting it into the Road Repair Fund. Chairman Crowley suggested putting it into the Finance Committee Reserve Account, where it would be readily available as free cash.

There was general discussion on levy capacity, salary increases for both town and school employees, and increase in cost of benefits.

At 9:27 AM Selectman Dunne moved to adjourn; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

Board of Selectmen's Meeting

May 16, 2011, 6:45 PM

Sanford Hall, Town Hall

155 Village Street

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, Selectman Dunne and Town Administrator Suzanne Kennedy.

Also Present: Melanie Phillips, Treasurer-Collector; Tom Holder, Director, Department of Public Services; Will Naser, Principal Assessor.

At 6:52 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 6:53 PM Selectman Foresto moved that the Board go into Executive Session under exemption two to conduct contract negotiations with nonunion personnel, and to return to public session upon adjournment; Selectman Espinosa seconded. Roll call vote: Selectman Foresto, aye; Selectman Dunne, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 3-0.

At 7:04 PM Chairman Crowley reconvened the public session.

Public Comment: Mr. Doug Wahl, representing the American Legion Post, reminded the Board of the Post's February proposal that the Town purchase their building and asked that this matter be placed on a meeting agenda in the near future. Chairman Crowley apologized for the lack of action, citing budget and Town Meeting matters, and promised that the Board would get back to him in two or three weeks with a possible plan.

Approval - Emergency Transfer Requests:

At this time the Board will consider transfer requests from the Planning Board, Medway Public Library, Town Clerk, and Veterans Services. For each request, the Board reviewed transfer request forms with supporting contractual letters or price quotations.

Planning Board – Will Naser, Principal Assessor, Andrew Rodenhiser, Chairman, Planning Board, and Cynthia Trainor were present. Town Administrator Suzanne Kennedy stated the Oak Grove area is believed to have substantial impact on economic development for Medway, but that title issues and inaccurate assessments are becoming problematic. At a meeting with Susy Affleck-Childs, Director, Planning and Economic Development, and Barbara Saint André, Town Counsel, it was decided that it would be of value to the town to do some title research to resolve ambiguity surrounding these land parcels. It was their recommendation that the town enter into an agreement with an attorney specializing in this kind of work.

Mr. Rodenhiser briefly reviewed the complicated history of the land ownership in this area, which has been identified back to the 1920s. He noted the title cards were not updated, and the Planning Board was unaware that work was incomplete. He stated that Ms. Trainor approached Town Counsel on the matter, and the public hearing process on the Oak Grove development was halted in view of the discrepancies. Discussion followed.

Mr. Naser stated that it is the opinion of Town Counsel that title work be performed. He stated further that he learned of the problem within his first month of employment in 2009, but did not have the comfort level to finish it. Ms. Kennedy stated Mr. Naser's first projects were to get residential and commercial valuations updated as well as implementing updated computer software.

Responding to a question from Selectman Dunne, Mr. Naser stated the scope of the project is unclear. Once the abstractor is able to get a look at all the factors, he will be able to determine a more accurate cost estimate. The initial \$15,000 is a place to start. Discussion followed on financing the project, budgetary impact, emergency transfer process, and collection of proper tax amounts.

Ms. Trainor stated she lives across from Oak Grove and attended the meeting in March. The map displayed at the meeting was incorrect. She expressed concern that 83 parcels are listed in town records as belonging to Mr. Williams, yet only four properties were so designated on this map. Mr. Rodenhiser stated the map was created using records maintained by the Registrar of Deeds, not Medway's records. She expressed concern the ownership of parcels was not properly tracked and that the owner is not paying taxes appropriately. Chairman Crowley asked Ms. Kennedy if the Board can get a report on parcels currently being taxed, and wondered how a parcel could become untaxable if ownership remained the same. Mr. Rodenhiser stated his own property on Dover Lane was assessed one year, but was not the next.

The Board noted that there are a number of areas that need attention and pointed out that the Town Administrator has been cleaning up a number of processes since she came to Medway.

Selectman Trindade moved that the Board approve the Emergency Transfer Request of the Planning Board for an amount not to exceed \$15,000 for title research relative to Oak Grove; Selectman Espinosa seconded. No further discussion. All ayes, 5-0.

Library-- Ms. Kennedy stated that HVAC units at the Medway Public Library are failing, and the recommendation is to purchase new units rather than repair the existing ones. Price quotes are expected shortly, but the belief is that the amount of \$20,900 should be sufficient.

Selectman Trindade moved that the Board approve the Emergency Transfer Request for the Medway Public Library for an amount not to exceed \$20,900 for the replacement of two (2) rooftop HVAC units; Selectman Foresto seconded. Brief discussion followed. It is expected that the work will be completed by summer. All ayes, 5-0.

Town Clerk – Selectman Trindade clarified for residents that these funds were requested to cover the costs of the debt exclusion election where the Middle School Repair Project was considered. Selectman Espinosa stated the Finance Committee should re-vote this matter as emergency transfer requests are to come to the Board of Selectmen first, and the Finance Committee's vote was premature. The Board requested a breakdown of the expenses.

Selectman Trindade moved that the Board approve the Emergency Transfer Request for the Town Clerk for an amount not to exceed \$8,000 for the January 2011 Special Election; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Veterans Services -- The Board expressed concern that this is the third request in recent months. Ms. Kennedy stated the caseload is difficult to predict, but that generally 10% of the population is typical. She noted that Medway has the largest caseload of area communities.

Selectman Trindade moved that the Board approve the Emergency Transfer Request for Veterans Services for an amount not to exceed \$3,000 to cover an increase in service cases; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Authorization of Chairman to Execute Contract with Clean Harbors, Inc. for Household Hazardous Waste:

The Board reviewed a proposed Household Hazardous Waste Collection Agreement with Clean Harbors Environmental Services, Inc. identifying costs and tasks.

Mr. Tom Holder, Director, Department of Public Services, stated this is for the annual hazardous waste collection of things that cannot go into ordinary trash collection. Materials such as batteries, fluorescent light bulbs, paint, aerosol sprays, etc. need to be disposed of safely. The collection has been scheduled for Saturday, May 21, from 9 AM to 1PM. Selectman Trindade suggested contacting the schools to send out a flyer or email notification of the event. Mr. Holder stated the event is posted on the Town website, but agreed to contact the schools as well.

Chairman Crowley asked if the contract was the same as last year. Mr. Holder responded the event historically costs around \$7,500 but the actual cost is based on the amount collected.

Selectman Trindade moved that the Board approve the contract with Clean Harbors Environmental Services, Inc. for services related to the May 21, 2011 Hazardous Waste Day Collection in an amount not to exceed \$10,000; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Discussion -- Automatic Water Meter Readers:

Mr. Tom Holder, Director, Department of Public Services, stated the department has nearly completed the installation of new water meters. He stated that approximately 150 residents, roughly 2-3% of the population have not yet responded to any of the three mailed notices, phone calls, or other attempts to communicate. He is proposing to have letter sent via certified mail with a return receipt requested to have a record that residents did receive it. Mr. Holder stated that Massachusetts General Laws support the termination of water service should the department not be allowed to enter the premises to install new equipment. Non-response is within scope of service termination criteria.

Selectman Espinosa cautioned that the department be sure its records are correct. He stated he was home when the meter was changed at his residence, and his name appeared on the no-response list. Mr. Holder acknowledged there is potential that records are not updated due to the number of people doing the installations, and stated the first paragraph of letter asks for resident to notify the department if the letter has been sent incorrectly. He stated further that non-response to original letters prompted orange tags inserted into doors, repeated phone calls, and messages left on answering machines. Sometimes people are reluctant to let the installer into the home.

Chairman Crowley advised Mr. Holder that once the certified letter has been sent, the department should proceed as necessary. Mr. Holder stated the department is prepared to assess a fee for water shutoff as well as the cost of administering a court order to those folks who are only on sewer due to a private well. He agreed to forward a copy of the proposed letter to the Board prior to sending it to the specified residents.

Election Signs:

Chairman Crowley expressed concern that there is a Town Election tomorrow (May 17) and there are no reminder signs around town. Families are busy and reminders are a good thing. He suggested sandwich boards or a sign at Choate Park. Ms. Kennedy stated the election is posted on the Town website as well as cable access, and agreed to check with the Town Clerk as to other communications.

Authorization of Chairman to Execute Contract with Marsh, Moriarty, Ontell & Golder, P.C. for Title Research Services:

The Board reviewed a contract, dated May 4, 2011, from Marsh, Moriarty, Ontell & Golder, P.C. for title research work, and Town Counsel's opinion, dated May 10, 2011, that the contract is in order.

Mr. Will Naser, Principal Assessor, stated this is the contract for title services for the Oak Grove development just discussed. While the Emergency Transfer Request was approved, the contract requires a separate vote.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Marsh Moriarty, Ontell & Golder, P.C. for title research services relative to the Oak Grove subdivision for an amount not to exceed \$15,000, subject to approval by the Finance Committee; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Authorization of Treasurer to Seek DOR Approval on Deficit Financing BAN:

Ms. Melanie Phillips, Treasurer-Collector, briefly updated the Board on the status of deficit financing, noting it is fifty percent paid off. Responding to a question from Selectman Dunne, Ms. Phillips stated the Town can pay off the remaining debt when the interest income equals the debt. Discussion followed.

Selectman Foresto moved that the Board authorize the Treasurer-Collector to petition the Massachusetts Department of Revenue for permission to borrow a total of \$1,000,000 as a renewal Bond Anticipation Note for deficit financing; Selectman Trindade seconded. No further discussion. All ayes, 5-0.

Action Items:

#1 – Matrix of recommended street acceptances: Ms. Kennedy stated a preliminary one has been developed.

#2 – Route 109: Selectman Espinosa stated a meeting is scheduled for Wednesday, June 1, to consider the intersection where Route 109 and Highland Street join Main Street.

#3 –CPA funding, fund disbursement, expenditure authorization requirements: Deleted.

#4 – American Legion Building Status: Chairman Crowley apologized for letting this item lapse, citing budget and Town Meeting matters have taken precedence. He asked for a Board volunteer to spearhead this effort, and to report back to board, with or without a recommendation for Town to purchase. Funds could come out of CPC or regular budget (proposed at town meeting). Selectman

Trindade volunteered to do so. Discussion followed, and a report will be presented to the Board on June 20.

Public Hearing – Transfer of Wine and Malt License – Supreme Pizza:

At 8:10 PM Selectman Trindade moved to convene a Public Hearing for the purpose of considering the transfer of a Wine and Malt License associated with Supreme Pizza; Selectman Foresto seconded. No discussion. All ayes, 5-0.

The Board was in receipt of the following information: Transmittal Form, proof of \$200 ABCC fee, Newspaper Notice, Petition for Transfer of Ownership, and Application with Articles of Organization, Legal Rights to Occupy, Manager's Form, Personal Information Form, Purchase & Sale of Business, Supporting Financial Records, and Vote of Corporate Board.

Present: Mr. George Papadopoulos, former owner, and Mr. John Spiliakos, new owner and manager.

Mr. George Papadopoulos provided a brief overview noting the sale of the business to Mr. Spiliakos. Town Administrator Kennedy stated the usual background checks have been completed.

Selectman Trindade moved that the Board approve the transfer of the Wine and Malt License associated and H & G Supreme Medway d/b/a Supreme Pizza from George Papadopoulos to John Spiliakos of Supreme Pizza, LLC and additionally, moved that the Board approve a common victuallers license for Supreme Pizza, LLC; Selectman Dunne seconded. No further discussion. All ayes, 5-0.

Selectman Trindade moved that the Board approve the transfer of manager of record from George Papadopoulos to John Spiliakos; Selectman Dunne seconded. This action satisfies requirements of the Alcoholic Beverages Control Commission (ABCC). All ayes, 5-0.

At 8:13 PM Selectman Trindade moved to close the Public Hearing; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Authorization of chairman to Execute Contract Extension with Tetra Tech Rizzo for General Consulting Engineering Services:

The Board reviewed a contract with Tetra Tech Rizzo to extend services through June 30, 2013.

Selectman Trindade moved that the Board authorize the Chairman to execute a 2-year contract extension with Tetra Tech Rizzo for on-call engineering consulting services through June 30, 2013 with all terms and conditions of the original Agreement remaining in effect; Selectman Espinosa seconded. Brief discussion. Ms. Kennedy stated initially the contract went out to bid, and after this extension expires, it will again. All ayes, 5-0.

Approval – Grant Agreement among Affordable Housing Trust, Board of Selectmen and Community Preservation Committee:

The Board reviewed a revised Grant Agreement relative to the transfer of funds to the Affordable Housing Trust by the Community Preservation Committee.

Ms. Kennedy reviewed the wording changes since the last draft. Selectman Dunne requested that the other parties sign this agreement prior to Town Meeting. Ms. Kennedy agreed to email the Affordable Housing Trust that their signatures are expected in advance of Town Meeting.

Selectman Trindade moved that the Board approve the draft Grant Agreement relative to the transfer of funds to the Affordable Housing Trust by the community Preservation Committee under Article 14 of the June 13, 2011 Annual Town Meeting; Selectman Espinosa seconded. Chairman Crowley confirmed that this references the upcoming Town Meeting vote. All ayes, 5-0.

Approval – Request for permission to access grounds of 2B Oak Street:

The Board reviewed a request, dated May 5, 2011, from Warren Sims, Bellingham, MA to explore the Thayer property at 2B Oak Street with a metal detector.

Selectman Trindade moved that the Board allow Mr. Warren Sims permission to explore the grounds of 2B Oak Street with a metal detector provided anything found of a historical nature remains the property of the Town of Medway and further provided that the Town of Medway assume no liability for him or actions taken by him; Selectman Foresto seconded. Discussion followed. Selectman Foresto wondered why this request would come to the Board as people walk on the property all time. Chairman Crowley suggested that most professional metal seekers ask permission so that the police are aware of their presence. Selectman Espinosa asked how is it determined what is historically valuable or not historical yet valuable. Are there legal ramifications? Should Town Counsel review this request? Selectman Dunne wondered why Mr. Sims used a resident request form when he does not live in Medway. **The Board agreed to a friendly amendment, that any work done to remove material from ground be returned to previous condition. Vote on motion -- 2-3: Crowley, Foresto and Dunne, oppose. Motion defeated.** The Board agreed to refer the matter to Town Counsel in order that some boundaries may be determined.

Approval – Tri-State Trek Bicycle Ride – ALS:

The Board reviewed the following information: (1) Correspondence from Allen Tingley, Police Chief, dated April 26, 2011; and (2) Letter from Vanessa Plant, Director of Programs & Event for Tri-State Trek, dated March 15, 2011.

Selectman Trindade moved that the Board approve the Tri-State Trek Bicycle Ride proposed travel through the Town of Medway on Friday, July 22, 2011 with the provisos outlined in Chief Tingley's correspondence dated April 26, 2011; Selectman Dunne seconded. No discussion. All ayes, 5-0.

School Committee Report:

Deb Trindade, Chairman, School Committee, updated the Board on recent activities. The committee's next meeting will be Thursday, May 19. There will be one new member following tomorrow's election. Standard procedure will be to reopen the committee and select a Chairman. Ms. Trindade stated she will serve on the committee to complete her term, but will not serve as Chairman again.

With regard to topics for its next meeting, Ms. Trindade stated the committee will be considering staffing at the grade 4-5 level and how to fund those increases. The committee will have to see where the present staff is assigned, then determine how to fill the gaps. Every year grades are realigned based on student enrollments. Circuit breaker funds can only be used for special education services. She noted that line item expense funds could be transferred to salaries, and possibly school choice funds moved to cover necessary expenses. She cautioned that with new people coming to the committee, previous decisions made by the committee could be revisited.

Responding to a question from Selectman Dunne on programs for gifted and talented students, Ms. Trindade stated there are no programs at this time. Differentiated instruction is employed to meet specific needs of each student in a class. She noted there are also legal requirements on what schools must do to offer gifted and talented programs.

Selectman Espinosa acknowledged that the job of chairman is time-consuming and taxing, as he had served as chairman at one time and complimented her on her efforts. She stated there are well qualified people coming onto the committee and looked forward to having some time to pursue other activities.

The Board thanked her for her service and her professionalism.

Closing of Special Town Meeting Warrant:

The Board reviewed a revised draft of the Special Town Meeting Warrant.

Selectman Trindade moved that the Board close the Special Town Meeting Warrant; Selectman Dunne seconded. Discussion followed on Article 6. Selectman Trindade explained to viewers that automated checkout equipment could allow increased hours for the library while not increasing expenses. Chairman Crowley wants to make sure the Library Board of Trustees is still interested in this equipment and that the amount of money is sufficient. Either way, the Board would have a clear answer. All ayes, 5-0.

Re-Opening and Closing of Annual Town Meeting Warrant:

The Board was in receipt of the Annual Town Meeting Warrant (for reference).

Selectman Dunne moved that the Board re-open the Annual Town Meeting Warrant; Selectman Trindade seconded. Motion withdrawn as discussion can occur without opening warrant.

Regarding Article 21, Chairman Crowley clarified for residents that the article references having the library employees report to the Town Administrator. He briefly reviewed the historical changes. He stated the Finance Committee does not support the article, noting a vote of 4-3 to dismiss it.

Selectman Espinosa stated the Board was very much in favor of this article. He stated that the residents should have the opportunity to vote on one of the processes that was in need of change, remarking that some of the old ways were very inefficient. The whole point of a Town Meeting vote was to get the community involved and let the voters have their say. Discussion followed. Selectman Dunne agreed with Selectman Espinosa that everyone who gets paid by the Town of Medway should report to Town of Medway. He emphasized that this matter was not about regionalization. He noted that there is no representative from the library at department head meetings, which is a problem. Selectman Espinosa stated any change, whenever it is voted, can take up to two years to become final because a charter change must be approved by the state.

Chairman Crowley specified that the library employees comprises the last group that needs to be changed over to report to the Town. He stated the Department of Public Services was reorganized so that Water and Sewer is no longer a separate entity.

Selectman Trindade acknowledged that the Finance Committee scrutinizes all projects rigorously, but the committee expressed concern that the timing of this action could be construed as political, a punitive move given the Trustees' move to deny regionalization. The Finance Committee's recommendation was to postpone it.

Chairman Crowley stated that Selectman Trindade, Selectman Dunne and Town Administrator Kennedy attended the Finance Committee meeting with him. That group feels there was a complete lack of communication between the Library Board of Trustees and the Board of Selectmen. The Finance Committee agrees that library employees should report to the Town Administrator, yet also felt there should have been a conversation with the Chairman of the Library Board.

Selectman Espinosa stated he did not recall the Water and Sewer Department rejoicing in the decision when that department was reorganized, nor the assessors' office. He stated he saw no reason why this process should not begin. The Board of Selectmen is charged with the job of operating the Town efficiently, and this would be an efficient move. Selectman Dunne agreed, stating the process was actually started three years ago when the Town Charter was changed. Now is the time to get it done. Selectman Trindade concurred, but suggested the Board consider postponing the matter until fall Town Meeting.

Selectman Espinosa emphasized he intends no disrespect of the Finance Committee. As an elected official, he does not have to agree with everything they do, and he doesn't have to agree with other members of the Board of Selectmen. Noting the Finance Committee's 4-3 vote on this matter, it is clear there were dissenting opinions within the Finance Committee itself. Discussion followed.

Ms. Kennedy suggested a plan needs to be developed, i.e., management studies were conducted with Water and Sewer; the same could be done with the library. As more than one Finance Committee member implied they would like to revisit the issue in six months after positive discussions were held between two groups, they would vote in favor of an article at fall Town Meeting.

Selectman Trindade moved that the Board reopen the Annual Town Meeting Warrant; Selectman Foresto seconded. No discussion. Split vote: 3-2; Espinosa and Dunne, oppose. Warrant opened.

Selectman Trindade moved that the Board remove Article 21 from the Annual Town Meeting Warrant; Selectman Foresto seconded. No further discussion. Split vote: 3-2; Espinosa and Dunne, oppose. Article 21 will be removed from the Warrant.

Selectman Trindade moved that the Board close the Annual Town Meeting Warrant; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Regarding the addition of \$7,810 allocated to the Snow and Ice Removal budget line item on May 9, Chairman Crowley suggested moving it into the Parks Department to support salaries for students to pick up trash. It would help beautify the community while giving young people much needed jobs.

Selectman Trindade moved that the Board reopen the Annual Town Meeting Warrant; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Selectman Trindade moved that the Board move the \$7,810 from the Snow and Ice Removal budget to Parks and Recreation as proposed for the purpose of a Clean Team (trash/litter pickup); Selectman Foresto seconded. All ayes, 5-0.

Selectman Trindade moved that the Board close the Annual Town Meeting Warrant; Selectman Foresto seconded. No discussion. Split Vote: 4-1; Dunne, oppose. The Warrant was closed.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-46, dated 5/19/11, submitted for approval, as follows:

11-46	Town Bills	\$858,267.25
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Selectman Trindade moved that the Board approve Warrant #11-46 in the amount of \$858,268.25; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Vacancies and Appointments:

Town Administrator Kennedy reminded the Board and residents that there are three vacancies on the Finance Committee and one vacancy on the Conservation Commission. She stated the vacancies can be problematic as often quorums do not exist in order to conduct business. She stated she will advertise the vacancies on the Town website and cable access, but asked Board members to also spread the word.

Town Administrator's Report:

Veterans District -- Ms. Kennedy updated the Board on progress toward the creation of a Veterans District comprised of Holliston, Ashland, Hopkinton and Medway. She met recently with community representatives as well as Representatives Vallee and Dykema. With a combined population base of 57,000, the proposed district would require a full-time director, a part-time agent, and full-time clerical person at an estimated cost of \$200,000, including benefits. While Medway has budgeted for it, other communities have not. If state aid can be secured, those positions might be reduced to a full-time director and part-time agent with the participating communities contributing to the full-time clerical. The proposal is being prepared, and will be presented to Department of Veterans Services. While she believes the DVS will listen to the proposal, Ms. Kennedy is not optimistic that it will be approved. She further advocated for budgeting for a large caseload until the true caseload has been determined. Ms. Kennedy will provide status reports as progress continues.

Responding to a question from Selectman Dunne, Ms. Kennedy agreed that it would be more cost effective if more communities participated. Norfolk and Hopedale are under the population level that requires a full-time director; they also chose to go off on their own.

MEMA Reimbursement -- Ms. Kennedy announced that Medway is eligible for reimbursement for January snowstorm from the Massachusetts Emergency Management Association (MEMA). The reimbursement of \$70,456.73 is based on 75% of expenses incurred.

FEMA Grant -- Ms. Kennedy reported that Medway has also received a grant from the Federal Emergency Management Association (FEMA) in the amount of \$510,539.

Selectmen Reports:

Selectman Foresto stated he has seen the first set of architectural drawings on the Thayer House project and went on the site walk with the architects. The committee now needs to work on the business

model. The group is checking with other municipalities on how they handled similar projects; thus far they have talked with Winchester and Dedham.

Selectman Trindade stated he also has seen the drawings and was impressed. He suggested the drawings be made available for the Medway300 celebration. Chairman Crowley clarified for viewers that the Thayer project is funded by Community Preservation Committee funds.

Selectman Espinosa stated he too had seen the drawings and complimented the Thayer project group on their work.

Selectman Dunne asked where funding for the purchase of the American Legion building would come from. Chairman Crowley responded the matter needs to be researched on several levels.

Chairman Crowley asked for a volunteer to deliver the greeting on Memorial Day, stating that it has historically been the chairman but any board member can do it. Selectman Trindade stated he will do it if he is re-elected in Tuesday's election.

Chairman Crowley reminded residents of the Town Election on Tuesday, May 17, from 7 AM to 8 PM, and encouraged everyone to vote. There is a ballot question as well as plus non-binding question.

Regarding the Middle School Repair Project, Chairman Crowley stated the general contractor and attorney have been selected; contracts are being developed. Construction estimates will be coming in within the next few weeks, and minor construction may be able to begin sometime over the summer.

Approval of Minutes:

Selectman Trindade moved that the Board approve the public session minutes of March 7, 2011 as drafted; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Selectman Trindade moved that the Board approve the public session minutes of March 21, 2011, as drafted; Selectman Foresto seconded. No discussion. All ayes, 5-0.

At 9:48 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
May 9, 2011, 7:30 AM
Town Administrator's Conference Room, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, Selectman Dunne and Town Administrator Suzanne Kennedy.

Also Present: Sue Ellis, Human Resources Director; Melanie Phillips, Finance Director and Treasurer/Collector; Carol Pratt, Town Accountant; Marc Terry, Mirick O'Connell.

At 7:35 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

At 7:36 AM Selectman Trindade moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, and to return to public session upon adjournment; Selectman Dunne seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Dunne, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 4-0.

At 8:55 AM Chairman Crowley reconvened the public session.

Approval of Union Contract with Fire Department:

Ms. Sue Ellis, Human Resources Director, reviewed the highlights of the contract the negotiating team had reached with the Fire Department. There was brief discussion.

Selectman Dunne moved that the Board approve the union contract between the Medway Permanent Firefighters Association and the Town of Medway, June 1, 2010 through June 30, 2012, as presented; Selectman Trindade seconded. No further discussion. All ayes, 5-0.

Consideration – Opening and Closing of 6/13/11 Special Town Meeting Warrant:

Selectman Trindade moved that the Board open the Special Town Meeting Warrant for June 13, 2011; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Ms. Carol Pratt, Town Accountant, briefly reviewed updated figures for Article 2; specifically, costs associated with negotiating the union contracts, \$37,825 (police) and \$2,694 (fire) for a total of \$40,519. Those figures will be added to the article. On Article 3, \$1,765 reflects the salary paid out of the Ambulance Enterprise Fund and will be added to the article language. On Article 5 (Street Acceptances), the figure of \$7,177 will be added to the article language.

The Board discussed and took action on warrant articles as follows:

Article 1 – Funding of Snow and Ice Deficit: **Selectman Trindade moved that the Board approve**

Article 1; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Article 2 – Salary Reserve Appropriation – Police and Fire Union Contracts: **Selectman Trindade moved that the Board approve Article 2 as amended; Selectman Foresto seconded. No discussion. All ayes, 5-0.**

Article 3 – Ambulance Enterprise Fund Appropriation – Fire Union Contract: **Selectman Trindade moved that the Board approve Article 3 as amended; Selectman Dunne seconded. No discussion. All ayes, 5-0.**

Article 4 – Salary Reserve Appropriation: **Selectman Trindade moved that the Board approve Article 4; Selectman Foresto seconded. The Town Accountant identified the balance of the Salary Reserve Account to be \$42,481. All ayes, 5-0.**

Article 5 – Budget Transfer for Street Acceptances: After discussion, it was agreed to cap the dollar amount by stating “a value not to exceed \$8,000” and amending the wording to reflect this. **Selectman Trindade moved that the Board approve Article 5 as amended; Selectman Foresto seconded. No further discussion. All ayes, 5-0.**

Article 6 – Re-purpose Funds – Library HVAC Replacement: This is a new article. There is roughly \$25,000 to be spent. Ms. Kennedy stated it comes under the purview of the Capital Improvement Planning Committee, but was not considered a priority. It has been recommended to replace the HVAC units instead of repairing them. Discussion followed on overall building maintenance.

Selectman Trindade theorized the Library Board of Trustees will likely request funds for a full time Library Director at Town Meeting. Selectman Espinosa stated it is not up to the Board of Selectmen to say the library cannot have a full-time Director, and that it would be prudent to suggest that the matter is still being explored. Discussion followed. Selectman Dunne volunteered to be the point person on any discussion at Town Meeting on library issues. Chairman Crowley suggested procurement of the automated check-out systems would be a positive move forward.

Regarding the HVAC units, it was suggested that the cost is approximately \$3,500 each. Ms. Kennedy agreed to speak with the Acting Library Director for specific information. Discussion followed.

Selectman Dunne suggested this article could wait until the fall Town Meeting which would give more time to gather information. The Board agreed to not move forward with Article 6 as written.

Discussion turned to using Article 6 instead for the purchase of the automated check-out equipment as an operational expense, at a value of not to exceed \$9,000. Ms. Kennedy will add the exact amount when that information has been secured.

Mr. Pratt stated there is a savings of \$7,810 from enterprise funds which has been applied to the Snow and Ice Account, but could be shifted to the library operating budget. The Board was reluctant to do this as once funds become part of an account they remain part of that account going forward.

Selectman Trindade moved that the Board approve Article 6 as amended, the amount to be inserted by the Town Administrator, for the purpose of purchasing automated check-in/check-out equipment; Selectman Dunne seconded. No further discussion. All ayes, 5-0.

Article 7 – Budget Transfer to Assessor Revolving Account: Ms. Pratt stated the transfer amount associated with this article would be \$15,000. **Selectman Trindade moved that Article 7 reflect a budget transfer of \$15,000; Selectman Espinosa seconded. No discussion. All ayes, 5-0.**

Consideration – Opening and Closing of 6/13/11 Annual Town Meeting Warrant:

The Board discussed and took action on Annual Town Meeting Warrant articles as follows:

Article 1 -- Free Cash Transfer to Operational Reserve: **Selectman Dunne moved that Article 1 be deleted from the Annual Town Meeting Warrant; Selectman Trindade seconded. No discussion. All ayes, 5-0.**

Article 2 --Operational Reserve Transfer: FY12 Operating Budget: Ms. Pratt, Town Accountant, stated the dollar amount for this article is \$234,345. The Board of Selectmen has already approved this article; the dollar amount replaces the phrase, “a sum of money.”

Article 4 -- FY12 Capital Budget: Free Cash Expenditure: Ms. Pratt reported an updated dollar figure for Line 1 of the table (Road, Sidewalk and Bridge Repairs) as \$407,914. **Selectman Trindade moved that Article 4 be amended with the revised dollar amount for Line 1; Selectman Foresto seconded. No discussion. All ayes, 5-0.**

Article 5 – FY12 Capital Budget –Water Enterprise: Selectman Foresto requested information on the associated impact on water rates. Ms. Kennedy stated she would obtain the information and send it out.

Article 6 -- FY12 Capital Budget – Main St Water Main and Article 7 -- FY 12 Capital Budget – Water Resources Mgmt. Program: Ms. Kennedy stated these articles were “placeholders” providing evidence of appropriation for eligibility for state and federal grants. Discussion followed. Ms. Pratt stated the borrowing can be rescinded if a project is not pursued. Ms. Phillips stated the borrowing cannot occur

without Board of Selectmen approval. Ms. Kennedy cautioned that grant money may have an embedded timeline defining a deadline by which the money must be spent. On Article 7, Selectman Foresto reiterated his concern about information on the water rates.

At 9:42 AM Selectman Trindade had to leave the meeting for another appointment.

Article 8 -- FY12 Capital Budget – Ambulance Enterprise: The Board felt there was not sufficient information at this time and this article could be postponed until the fall Town Meeting. **Selectman Foresto moved that this article be deleted from the Annual Town Meeting Warrant; Selectman Dunne seconded. No discussion. All ayes, 4-0.**

Article 13 –Appropriation: Community Preservation Committee: Ms. Kennedy stated the Community Preservation Committee has not submitted the actual dollar amount. That information will likely be available on Town Meeting night.

Article 14 – Transfer to Affordable Housing Trust Fund: Ms. Kennedy suggested the potential grant be discussed at the Selectmen’s meeting on May 16. It was agreed to leave the Board’s position on the article as TBD, and vote at the Selectmen’s meeting on June 13 prior to Town Meeting.

Article 19 – Special Appropriation: Health Care Reimbursement Account: **Selectman Foresto moved that the Board approve Article 19 as written; Selectman Dunne seconded. No discussion. All ayes, 4-0.**

Article 21 – Approve Settlement(s): Sewer Ext. Project Claims: Thus far two settlements (Derrigo and Newton) have been reached for a total amount of \$91,500. Ms. Kennedy will check with Town Counsel to see if the names can be included in the motion. The dollar amount will be included in the motion at Town Meeting, not printed in the warrant article.

Article 23 – Charter Amendment: Library Personnel: Ms. Kennedy stated a redlined version showing changes will be available at Town Meeting. Selectman Espinosa questioned whether the Board of Selectmen should be the sole authority. After discussion, it was agreed to remove reference to regionalization, specifically, the sentence with “Notwithstanding . . .regionalization of library services.”

Selectman Foresto moved that the Board approve Article 23 as amended; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.

Approval – Short Term Borrowing:

Ms. Melanie Phillips, Treasurer/Collector, stated the Town went to bid on May 4 for the short term borrowing, with four bids submitted. All bidders bid 1.5% with the winning bid coming from First

Southwest with \$41,459.46 premium for a 0.5158 interest cost. The second highest bidder was Eastern Bank. Discussion followed.

Selectmen Foresto moved that the Board of Selectmen award the Bond Anticipation Note for \$5,680,000 to First Southwest at 1.5% interest rate with a \$41,459.46 premium for a net interest cost of 0.5158%; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Enterprise Accounts – Savings:

Ms. Pratt reported a savings of \$7,810 in the enterprise accounts and recommended the savings be added to the Snow and Ice Removal budget, currently at \$433,687. Discussion followed on future budget impact. Discussion followed on future budget impact.

Selectman Dunne moved that the Board approve the addition of the \$7,810 savings to the Snow and Ice Removal budget as recommended by the Town Accountant; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

Accident Investigation:

Ms. Allison Potter, Assistant to the Town Administrator, reported that a fatal traffic accident in Holliston in December has been found to be the result of underage serving of alcohol at a local Chinese restaurant. She stated the police department has requested the Town transfer responsibility for the investigation from the Board of Selectmen to the Alcoholic Beverages Control Commission (ABCC). Discussion followed.

Selectman Foresto moved that the Board transfer responsibility for the investigation to the Massachusetts Alcohol Control Commission (ABCC) as recommended by the Medway Police Department; Selectman Dunne seconded. No discussion. All ayes, 4-0.

At 10:09 AM Selectman Foresto moved to adjourn; Selectman Dunne seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
June 13, 2011, 6:00 PM
Room A-111, Medway High School
88 Summer Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, Selectman Richard Dunne and Town Administrator Suzanne Kennedy.

Also Present: Mark Cerel, Town Meeting Moderator and Chairman, Community Preservation Committee; Barbara Saint André, Town Counsel; and Andrew Rodenhiser, Planning and Economic Development Board Chairman.

At 6:01 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comments: None

Discussion – Capital Improvement Plan 2012-2016:

The Board was in receipt of the Capital Improvements Planning Committee's 5-Year Plan for 2012-2016, dated May 20, 2011.

Town Administrator Suzanne Kennedy stated she is presenting the five year capital plan to the Board because it was recently received from the Capital Improvement Planning Committee. Chairman Crowley suggested putting it on the agenda for a future meeting and asking the Capital Improvements Planning Committee come in to discuss it. Ms. Kennedy responded the submission of the plan is for informational purposes only at this time.

Discussion – Town Meeting Articles:

For reference purposes, the Board received copies of the Special Town Meeting Warrant, Annual Town Meeting Warrant, and proposed motions for both proceedings.

Regarding **Article 20– Establish OPEB Trust Fund**, Ms. Kennedy stated a recently passed state statute may cause a measure proposed by the Town to be rejected as they are very similar. Ms. Barbara Saint André, Town Counsel, stated that communities can accept the local option statute or go to legislature for special legislation specific to one's community. Mr. Cerel stated the article up for consideration tonight is not broad enough, noting that the matter was before legislature a few years ago. Ms. Kennedy acknowledged this article does not include language for funding, while the local option one

does. She doubted there would be consequences if this matter was postponed until fall Town Meeting. Ms. Saint André suggested it might be quicker to have Town Meeting adopt the state statute.

Discussion followed on benefits of Article 20 vs. local option and impact on credit or bond rating. Ms. Kennedy stated she would like to get it done soon so that it is not forgotten.

Selectman Dunne moved that the Board table Article 20 – Establish OPEB Trust Fund; Selectman Foresto seconded. No further discussion. Split vote: 4-1 – Crowley oppose.

Regarding Article 12 – CPC Transfer to Affordable Housing Trust Fund, Selectman Dunne stated he read in an email that the Community Preservation Committee has not signed off on this article yet. Mr. CereI stated the CPC would be meeting within the hour and he anticipated a Memorandum of Understanding would be signed in the near future. He acknowledged the committee was not in the loop soon enough, but that the contracts are being prepared. He reminded the Board that the CPC is only an advisory committee in this matter.

Regarding the Town Clerk's salary, Ms. Kennedy stated it is part of the overall municipal budget and there is no specific language required to vote on the salary of the Town Clerk. She noted that at Town Meeting 2010, simply pointing out that the salary was part of the overall budget was adequate. Regarding the motion for Town Meeting, Ms. Saint André stated she took parts A and B and combined them in one motion. The Board agreed this was the most efficient way to handle it.

Regarding Article 23 – Hunter & Ivy Lane Street Acceptance, Ms. Saint Andre stated the Warrant contains a proposal for the Town to accept these two roads. In doing so, the Town has to obtain an interest, a fee or some ownership. She stated she wants the Town only to take an easement, as there is then no confusion regarding ownership. It could also be gifted, but homeowner properties are owned by various mortgage companies who will most likely not sign off on it. Local banks are not usually a problem, but out-of-area companies are often difficult to deal with. Responding to a question from Chairman Crowley, Ms. Saint André confirmed that both the motion and article are written appropriately. She stated that accepting a street is a benefit, and no damages should be awarded.

Ms. Rondi Chapman asked for clarification of a reduction of \$60,000 in the Health Office budget [Article 2]. Ms. Kennedy explained there was a reduction in the Health Agent's hours and the clerical staff was laid off due to a reduction in workload. She clarified further that the Town is not required to have a full-time Health Agent. Chairman Crowley stated there were also some union negotiations being conducted at the time the budget was released so details could not be discussed.

Restaurant 45:

Chairman Crowley reported to the Board that the owner of Restaurant 45 is exploring outdoor dining at his restaurant and wondered whether the alcoholic beverages license allows serving on the outside deck. Additionally, the owner would like to work with the Town to access 8-10 parking spots behind the Fire Station, noting the lot could be created with crushed stone or paved with stripes, both with

appropriate signage. Selectman Dunne asked for a copy of the request. Ms. Kennedy responded there has not been a formal request. Discussion followed. Selectman Espinosa stated he thought the matter was going to be on the agenda and someone was coming in to speak on it. Chairman Crowley stated that was the original plan but thought there wouldn't be time given that Special Town Meeting begins at 7 PM.

Selectman Trindade stated this matter was brought up a few years ago, with expanded parking, and extension of the building. Selectman Espinosa stated there was no mention of serving alcohol on the deck. Selectman Trindade agreed, stating that the owner didn't move forward as he believed parking concerns to be the stumbling block. The Police Chief has since been consulted and there are no problems. Ms. Allison Potter, Assistant to the Town Administrator, stated the Alcoholic Beverages Control Commission previously approved the extension of premises to the deck. Permission to allow the service of alcohol on the deck is at the discretion of the Board.

Selectman Espinosa stated the alcohol itself does not require additional parking. Chairman Crowley noted that the additional parking spots would be available to anyone, not just limited to the restaurant. Selectman Espinosa suggested the owner come in and talk with the Board about it. He stated he wants to understand the safety issues, as it is Town-owned land. Chairman Crowley stated the owner would have to work with the Town to develop the parking which would ultimately be public parking for anyone. He stated that the owner is concerned that he will be challenged by his initial assertion that no parking would take place on public ways (part of initial license).

Mr. Andrew Rodenhiser stated that technically the immediate neighboring streets have not been accepted by the Town so it is not public parking. Residents have asked for No Parking signs there. There will be discussion tomorrow. Ms. Kennedy asked Rodenhiser to address his Board's position at its Planning Board's meeting. He agreed.

Ms. Potter stated she has only a verbal request, nothing in writing. Chairman Crowley suggested the Board request a letter specifically stating what the applicant is seeking. Discussion followed.

Selectman Trindade moved that the Board approve extension of Restaurant 45's liquor license to include alcohol outdoors; a friendly amendment suggested that written application and all related processes are followed; Selectman Espinosa seconded. Ms. Saint André stated that in order to extend the liquor license, a public hearing is required. However, as Selectman Trindade stated, the Board may have already extended the license to include the deck. At this time there is no provision to serve on the deck; patrons can be served inside and carry their drinks outside to the deck. **Selectman Trindade withdrew the motion.**

Selectman Trindade moved that the Board modify the conditions of the Restaurant 45 liquor license to include serving of alcohol on the outside deck area with the friendly amendment that written application and all related processes are followed; Selectman Espinosa seconded. Mr. Rodenhiser asked if this would involve the Planning Board. Chairman Crowley responded the Planning Board has no jurisdiction with alcohol. **Split Vote: 4-1 – Dunne oppose.**

Realignment of the Board:

There was brief discussion on duties associated with various positions on the Board of Selectmen, as well as time commitments. Chairman Crowley noted that the Chairman has to be available at various times for meetings outside of regular Board meetings, and a flexible schedule is necessary. It was agreed to postpone the discussion on alignment until 8:00 AM on Thursday, June 16.

At 6:50 PM Selectman Trindade moved to adjourn in order to attend Special Town Meeting and Town Meeting; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
June 16, 2011, 8:00 AM
Town Administrator's Conference Room, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, and Selectman Richard Dunne.

At 8:00 AM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Realignment of the Board:

Chairman Crowley stated that, in keeping with the Town Charter, the Board must realign its positions, namely, Chairman, Vice Chairman and Clerk.

Selectman Dunne stated he would like a discussion of the duties associated with the position of Chairman as he is interested.

Selectman Trindade moved to nominate Richard Dunne as Chairman of the Board of Selectmen; Selectman Foresto seconded. Discussion followed. Selectman Espinosa expressed concern that Selectman Dunne has the time to do the job adequately based on Mr. Dunne's prior concerns about amount of time involved as he does not want the position to become a figurehead. Selectman Dunne qualified his concern based on the practice of holding meetings within working hours as he runs a business during the day. He clarified that he is often available via phone and email, but his presence during day may be difficult. He stated he will try to organize his schedule to accommodate those instances by working with Town Administrator who may have to adjust her schedule accordingly. Discussion followed on communications with Board members via the Town Administrator, Open Meeting Law, setting the agenda, delegating things to other people, and giving the Vice Chairman a larger role. Vote – all ayes, 5-0.

Selectman Trindade moved to nominate John Foresto as Vice Chairman of the Board of Selectmen; Chairman Dunne seconded. Brief discussion followed. All ayes, 5-0.

Selectman Espinosa moved to nominate Dennis Crowley as Clerk of the Board of Selectmen; Chairman Dunne seconded. No discussion. Split Vote – 4-1: Crowley oppose.

The Board of Selectmen is now composed as follows: Richard Dunne, Chairman; John Foresto, Vice Chairman; Selectman Dennis Crowley, Clerk; Selectman Glenn Trindade, and Selectman Andrew Espinosa.

Other Items for Discussion:

Chairman Dunne stated that, as his first act as Chairman, he would like to send a letter to the Boston Bruins to ask them to bring the Stanley Cup to Medway. He said this would be a terrific thing for Medway Pride Day.

Chairman Dunne moved that the Board should send a letter to the Boston Bruins; Selectman Trindade seconded. All ayes, 5-0.

It came to the attention of the Board that a Medway youth was elected as Governor at Boys State. Selectman Espinosa stated he will find out who it is so that the individual can be appropriately recognized for his achievement.

Selectman Trindade stated he will be out of town on business on Monday, June 20, and will not be able to attend the Selectmen's meeting.

The Town-Wide Facilities Management Study Committee is recommending the formation of a Facilities Maintenance Department with a project manager who would report to a committee of five people. Discussion followed. Overall, the Board was not in favor of this idea, citing continuity of tasks. Noting there is a difference between custodial care and maintenance, custodial services should remain with the schools for everyday care, while capital maintenance should fall to Town staff. Selectman Crowley offered to contact the chairperson of the the Town-Wide Facilities Management Study Committee for additional information.

At 8:22 AM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

Board of Selectmen's Meeting

June 20, 2011, 6:30 PM

Sanford Hall, Town Hall

155 Village Street

Present: Vice Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley and Town Administrator Suzanne Kennedy. Selectman Glenn Trindade was absent. Chairman Richard Dunne arrived at 6:42 PM.

At 6:37 PM Vice Chairman John Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

At 6:38 PM Selectman Crowley moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, Memorandum of Agreement – Massachusetts Laborers' District Council (Municipal Public Employees' Local Union and Sewer Easement Settlement; and to return to public session upon adjournment; Selectman Espinosa seconded. Roll call vote: 3-0. Vice Chairman Foresto, aye; Selectman Espinosa, aye; Selectman Crowley, aye.

At 7:04 Chairman Dunne reconvened the public session and led the Board in the Pledge of Allegiance.

Public Comments: None.

Presentation – MASSPIRG – Proposed Expanded Bottle Bill:

The Board was in receipt of the following information: (1) Letter to Board Chair Colleen Spivey, MASSPIRG, dated May 26, 2011; (2) Resolution in Support of Updating the Massachusetts Bottle Bill; (3) Sierra Club/MASSPIRG Bottle Bill Update, dated March 24, 2010; and (4) List of Municipalities supporting expanded Bottle Bill. At the meeting, the Board received the following: (a) Top 10 Reasons to Update the Bottle Bill; and (2) Beverage Containers in Litter & Public Waste Receptacles (Mass DEP).

Ms. Claire Sullivan introduced herself to the Board, stating and has been working with MASSPIRG for a number of years beginning as President of Mass Recycle. She stated she has also been working with South Shore Recycling Cooperative, which consists of fourteen communities on the South Shore.

Ms. Sullivan briefly reviewed the existing bottle bill, noting that current markets for single-serve beverages have dramatically increased. These containers are usually found on side of road or in trash and that a major portion of waste from non-deposit containers such as bottled water and sports drinks. She distributed two handouts speaking to the bottle bill and the impact of non-deposit containers on littering. Ms. Sullivan stated the goal of the bottle bill update is to put responsibility for recycling containers on the manufacturers and not the municipalities. Typically, the redemption rate for containers designated under the bottle bill is about 70%. This keeps containers out of the waste stream and also creates jobs. 193 other municipalities have signed on to this resolution.

Ms. Kennedy asked what needs to happen in order for the State Legislature to enact legislation now that so many towns are supporting the measure. Ms. Sullivan responded that a public hearing is scheduled for July 20, and then the bill moves through various committees (including Ways and Means) eventually coming to vote on the floor. She acknowledged that opposition from the industry is very strong.

Selectman Espinosa asked if deposit amount would change. Ms. Sullivan indicated it probably would not, though supporters would like to increase it to ten cents, but they know that would never get through the Legislature. She suggested that may be easier to update once this update has passed.

Selectman Crowley moved execute the Resolution in Support of Updating the Massachusetts Bottle Bill which places Medway on record as being in support of expanding the Massachusetts Beverage Container Deposit Law as well as encouraging recycling of all beverage containers; Selectman Espinosa seconded. A friendly amendment was suggested the motion read that the Board was authorizing the Chairman to execute the Resolution. Amendment accepted. All ayes, 4-0.

Selectman Foresto asked the Town Administrator to send a copy of the Board's motion to elected officials representing Medway at the state level.

Authorization of Chairman to Execute Solid Waste and Recycling Contract with American Waste Services:

The Board reviewed a Contract Between the Town of Medway and American Waste Services, LLC., effective July 1, 2011, already signed by vendor, Town Accountant and Town Counsel.

Mr. Tom Holder, Director, Department of Public Services stated this vendor has provided solid waste and recycling for the Town for at least seven years. He stated the company is very good at its job, and understands the Town's needs. Presently Medway has a 49% recycling rate under its Pay-As-You-Go program without changing to a co-mingled program. Mr. Holder stated he does not believe the cost of instituting such a program would increase the recycling rate. He stated he would prefer to stay with a traditional solid waste and recycling program, as the recycling rate and efficient system does not necessitate a change at this time. He added that he has been working with the schools on their single-stream system, with the sorting done later. There has been a good response from students.

Mr. Holder stated this is a three-year contract, and there will be no change in fees to residents for this year. Consumer price index will drive any future increases after 2012.

Selectman Espinosa asked if the *Curbside Chronicle* (recycling schedule) could be posted more visibly on the Town's website. Right now, it takes several clicks of the mouse to get to it.

Responding to a question from Selectman Crowley, Mr. Holder stated he negotiated the contract. In the past it was handled by the Board of Health, but as there was a transfer of duties from the Board of Health to the Department of Public Services, it fell to his jurisdiction. He noted it is consistent with contracts secured in the past.

Selectman Foresto moved to approve the contract with American Waste Services, LLC for the period of July 1, 2011 through June 30, 2014 for solid waste and recycling collection services in an amount not to exceed \$544,200; Selectman Espinosa seconded. It was agreed to send a copy of the approved contract to the Board of Health as a courtesy. All ayes, 4-0.

Authorization of Chairman to Execute Identification of Infiltration/Inflow Sources for Wastewater Collection System and Revision of GIS Contract with Haley & Ward:

The Board reviewed a Contract between the Town of Medway and Haley and Ward, Inc., already signed by vendor, Town Accountant and Town Counsel, for professional engineering services, namely identification of infiltration and inflow sources for Town's Wastewater Collection System and Revisions to GIS Sewer Layer.

Mr. Tom Holder, Director, Department of Public Services, stated this matter was approved at the 2010 Annual Town Meeting, and the department has been using previous funding sources to get to this point. Approval of this contract will allow the department to move forward and effect some sewer pipeline metering, manhole inspections, and structural failures detected by cameras. Responding to a question from Selectman Crowley, he stated he had no information yet on the leakage at Chicken Brook.

Selectman Crowley moved to approve the contract with Haley & Ward, Inc. for identification of infiltration and inflow sources for the Town's wastewater collection system and revision to the GIS sewer layer in an amount not to exceed \$55,000; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.

Ms. Kennedy commended the Department of Public Services on the redesign of the Town's recycling center. She stated she has received a number of positive comments on improvements in navigating the site, traffic flow and accessibility to containers by both residents and recycling vendors. Selectman Crowley emphasized that all improvements were paid for by retained earnings, not increases in price of trash bags or other fees.

Approval – Common Victualler License Transfer – Medway House of Pizza (Change of Owner):

The Board was in receipt of the application by George Kosivas with associated attachments.

Mr. George Kosivas stated he is the new owner of Medway House of Pizza and now needs the Common Victualler License to be transferred to his name. Ms. Karen Kisty, Operations Manager for the Town of Medway, confirmed that all associated paperwork is in order.

Selectman Foresto moved to approve the transfer of the Common Victualler License associated with the Medway House of Pizza from Mark Elrahi to George Kosivas; Selectman Espinosa seconded. There was brief discussion. All ayes, 4-0.

Approval – Class II License – Late Model Cars Ltd., LLC:

The Board was in receipt of the following information: (1) Email correspondence from Town Counsel, dated June 7, 2011; (2) Zoning Board of Appeals, dated May 25, 2011; (3) Email correspondence from the Registry of Motor Vehicles, dated January 9, 2009; and (4) Class II license application, dated January 28, 2011, with associated documents.

Town Administrator Kennedy stated all requirements for the Class II license have been met, noting that the business was not the principal business of the proponent. She reminded the Board that it has authority to accept or reject the application. She stated that Massachusetts General Laws stated that the person designated on the license must be proper person to engage in business, it is the proprietor's principal business, and has a place to conduct the business. There was a brief discussion on zoning laws.

Mr. Thomas Carson, 3 Sledding Hill Way, stated he previously held a Class II license in Medway three years ago at prior residence at 29 North Street. He stated he sells cars part-time, and it is not a means to support his family. He noted he will likely retire from his full-time job as a mechanical engineer in a couple of years, and business could become more prominent in his life, but for now, he is a casual business owner, and the activity is a hobby. He stressed that the dealer license is necessary should he happen to sell more than three autos in a year, and also allows him to attend the auctions not open to the general public.

Mr. Carson stated the Zoning Board of Appeals approved it, and believed no reason to come to the Board. However, the Building Inspector thought a special permit might be necessary. He noted that his previous license has restrictions including storage of cars and assumes those same restrictions will apply. He is seeking only a renewal of the license at his present address.

Selectman Crowley moved to approve the application of a Class II Auto Dealer's License for Lake Model Cars, Ltd., LLC; Selectman Espinosa seconded. Ms. Karen Kisty, Operations Manager for the Town of Medway, confirmed that all documentation is in order. All ayes – 4-0.

Authorization of Chairman To Execute Public Health Nursing Services Agreement with VNA and Hospice of Greater Milford:

The Board reviewed the following information: (1) Contract between the Town of Medway and the Milford Regional Medical Center, Inc. d/b/a VNA and Hospice of Greater Milford, effective June 10, 2011 to June 30, 2012 ; and (2 Email from Town Counsel, dated June 15, 2011, approving contract as to form.

Ms. Kennedy stated the Health Agent is on vacation. She also stated this is a standard agreement executed on annual basis. She clarified that the major focus for the Board of Health is on septic installation and repair, as well as inspections of eateries. The VNA provides public health services, communicable disease detection, food clinics, health screenings and some child health services. Ms.

Kennedy stated the VNA is exploring the possibility of expanding services on a regional basis; she will report back to the Board in coming months.

Selectman Foresto moved to approve the agreement with VNA and Hospice of Greater Milford for public health nursing services in an amount not to exceed \$14,150; Selectman Espinosa seconded. Selectman Foresto noted that this contract is different from the one signed with the Medway Senior Center. All ayes, 4-0.

Discussion/Approval – Construction of Ride Share Parking Area at Medway Fire Station #1 (Intersection of Summer and Milford Streets):

The Board reviewed the following information: (1) Emails to/from Town Counsel, dated June 7, 2011; June, 6, 2011; May 12, 2011; and April 13, 2011; and (2) Letter from Mark Smith, owner, Restaurant 45, 45 Milford Street, dated June 14, 2011.

Present: Police Chief Allen Tingley; Fire Chief Paul Trufant; and John Emidy, Building Commissioner and Zoning Enforcement Agent.

Town Administrator Kennedy stated the letter from restaurant owner regarding extension of liquor license prompted placing this item on the Board's agenda for tonight's meeting.

It was noted that the parking area behind the fire station is already public parking, previously utilized as a stop along an area transit line.

Selectman Espinosa stated the parking area can remain open public parking, not specific to Restaurant 45, or the Board can take action to designate it specifically for the use of Restaurant 45's patrons and employees, but it cannot be both. Selectman Crowley emphasized that the restaurant's owner has offered to create parking for everyone's use. Selectman Espinosa disagreed, stating his understanding was that the restaurant owner needed additional parking to extend the liquor license to the deck area.

Mr. John Emidy, Building Commissioner and Zoning Enforcement Officer, the restaurant cannot exceed the total number of seats for the restaurant and deck, whether or not liquor is served on the deck. He stated he should receive submission of any changes to his department. Ms. Kennedy stated the applicant has proposed to do some paving of the parking area (now gravel) to enable patrons or visitors to other area businesses to utilize the parking lot, and suggested stipulations can be applied. Mr. Emidy responded that it is his responsibility to determine whether conditions exist to merit a Certificate of Inspection for Occupancy that would include the deck area; this does not fall to the Planning Board. He clarified that the Planning Board has jurisdiction on zoning issues. Discussion followed. It was noted that the lot is public parking now, but specific spaces are not marked.

Selectman Espinosa clarified that serving of alcohol on the deck right now would be in violation of zoning laws. Mr. Emidy confirmed that the deck/porch has to be certified for occupant loading and it has not been yet. Chairman Dunne emphasized that the appropriate process should be followed.

Police Chief Tingley recommended that the lot be striped with specific spaces to avoid chaotic parking and minimize safety issues. Selectman Espinosa suggested more information be obtained, specifically relative to building laws, what is required for safety standpoint for parking and pedestrian crossing, and whether the applicant is prepared to fulfill those obligations. Then the Board of Selectmen will have all necessary information to move forward.

Selectman Crowley stated that Restaurant 45 did not want to approach the Planning Board until it had the Selectmen's approval on outdoor alcohol serving and parking issues resolved.

Selectman Foresto stated the applicant should be behind this action, not Town staff or other individuals. Mr. Emidy stated that his office (Building Department) is the proper place to start.

Ms. Kennedy offered to convene meeting with staff and applicant as she does think there are safety issues. Chairman Dunne read aloud the restaurant owner's letter and asked about the process and instructed the Town Administrator to respond to the owner/applicant that he must begin in the Building Department.

Discussion/Approval – Use of Metal Detector at Thayer House property:

The Board reviewed the following information: (1) Email from Town Counsel, dated June 6, 2011; and (2) Resident Request Form, dated May 5, 2011.

Ms. Kennedy stated that Town Counsel has indicated that it is very difficult to enforce any return of property to the Town, noting there are existing laws regarding discovery of "lost" or "abandoned" property.

Selectman Espinosa was happy to have a clarification from Town Counsel. Selectman Foresto suggested that, if valuable items are found and that discovery is made public, the Town could pursue recovery. Ms. Kisty stated the Town's main concern is how he leaves the property, such as not filling holes he has dug, thereby creating safety issue for other users of the property. Discussion followed.

It was agreed to draft a contract outlining liability and responsibility to turn over historical or valuable property.

Approval – Emergency Transfer Requests – Veterans (\$875 Expenses and \$635 Salary):

The Board reviewed the following information: (1) Transfer Request, dated June 6, 2011, in the amount of \$875 for expenses associated with increased case load; and (2) Transfer Request, dated June 6, 2011, for mileage reimbursement.

Ms. Kennedy stated the requests were submitted due to the increase in caseload, noting the agent has to attend many more meetings than in the past, and increased costs of \$875 is associated with benefits and \$625 is for reimbursement of mileage expenses.

Selectman Foresto moved to approve two transfer requests presented for Veterans Services – one in the amount of \$875 for costs associated with increased case load and one in the amount of \$625 to

cover additional Veterans Agent mileage reimbursements through June 30, 2011; Selectman Espinosa seconded. No further discussion. All ayes, 4-0.

Annual Board and Committee Reappointments:

The Board was in receipt of the following information: (1) List of Reappointments; (2) New Appointment Request from Sandra Dobday for the Cultural Council; (3) Email from the Chairman of the Zoning Board of Appeals requesting staggered terms; and (4) List of outstanding appointments and/or vacancies.

With respect to the vacancy on the Cultural Council, Ms. Sandra Dobday, 11 Oakland Street, stated she has lived in Medway for twenty-two years, has a Bachelors Degree in Art, ongoing interest in art, and would like to help support those seeking funding in art projects.

Selectman Foresto moved to appoint Sandra Dobday to the Cultural Counsel for a term of three years July 1, 2011 – June 30, 2014; Selectman Espinosa seconded. Selectman Crowley suggested the Medway 300 committee could use Ms. Dobday's talents and expertise. Selectman Foresto stated he would forward her contact information to the person planning the Cultural Weekend associated with Medway's 300th anniversary. All ayes, 4-0.

Selectman Foresto read aloud the names of individuals up for reappointment as follows:

Affordable Housing Committee – Reappoint Robert Ferarri for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Affordable Housing Trust – Reappoint Michael Heineman and Ann Sherry, each for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Cemetery Commission – Reappoint Jeanne Johnson, Marian Pierre-Louise, and Bruce Hamblin, each for a one-year term beginning July 1, 2011 and ending June 30, 2012;

Capital Improvement Planning Committee – Reappoint James Gillingham for a four-year term beginning July 1, 2011 and ending June 30, 2015;

Conservation Commission – Reappoint Ken McKay for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Constables – Reappoint Paul Yorkis for a three-year term beginning on July 1, 2011 and ending on June 30, 2014;

Council on Aging – Reappoint Nanette Glenney, Robert Goode, and Mary Lou Staples each for a three-year term beginning July 1, 2011 and ending June 30, 2014

Cultural Council- Appoint Sandra Dobday for a three-year term beginning July 1, 2011 and ending June 30, 2014:

Education Fund Committee – Melinda Peden and Joann Bruce, each for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Historical Commission – Appoint Marian Pierre-Louis for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Medway Christmas Parade – Reappoint Richard Parrella and Allen Tingley each for a three-year term beginning July 1, 2011 and ending June 30, 2014;

Medway Pride Day Committee – Appoint Jodi Kairit for a one-year term beginning July 1, 2011 and ending June 30, 2012;

Memorial Committee – Appoint Colonel Michael Matondi (Ret.) and Allen Tingley each for a one-year term beginning July 1, 2011 and ending June 30, 2012;

Thayer Property Development Committee – Appoint Dan Hooper and Marcia Kramarz each for a one-year term beginning July 1, 2011 and ending June 30, 2012;

Town-wide Facility Management Study Committee – Jeff Devolder, Robert Ferrari, Larry Muench, Robert Parrella, Jack Robinson and Peter Manning each for a one-year term beginning July 1, 2011 and ending June 30, 2012

Representative to Charles River Pollution Control District – Appoint Paul DeSimone for a one-year term beginning July 1, 2011 and ending June 30, 2012.

Representative to Metropolitan Area Planning Council – Appoint Cranston Rogers for a one-year term beginning July 1, 2011 and ending June 30, 2012.

Representative to SouthWest Area Planning Committee, Citizen at Large – Appoint Paul Yorkis for a one-year term beginning July 1, 2011 and ending June 30, 2012.

Ms. Kennedy stated there are vacancies on the Finance Committee and those have been advertised. She suggested the Board may be able to approach people on their own to secure qualified volunteers. Typically those vacancies are filled prior to the end of the fiscal year.

Selectman Espinosa moved to accept appointments as read; Selectman Foresto seconded. Brief discussion on whether constables are appointed or elected. Selectman Crowley suggested a friendly amendment to add John Robinson to Town-wide Facility Management Study Committee. Selectman Crowley offered a second friendly amendment that the Chairman have discussion with the Zoning Board of Appeals Chairman about those appointments. Ms. Kisty stated the Zoning Board of Appeals Chairman would like to stagger the appointments to alleviate too many people changing at once. Friendly amendments accepted. All ayes, 4-0.

Selectman Foresto offered the Board's thanks to people for volunteering their time to work toward betterment of the Town, noting that it is a commitment of time away from their families and other activities.

Approval of FY12 Meeting Calendar:

The Board discussed a potential meeting calendar in accordance with provisions of the Town Charter. After discussion it was decided to cancel the meeting scheduled for Tuesday, July 5, as it comes on the heels of a major holiday weekend. This leaves only one meeting in July on Monday, July 18.

There was discussion on when information must be submitted in order to get on the agenda, allowing sufficient time for review, gather documentation, etc. It was decided that requests to be included on the agenda for a Selectmen's meeting must be submitted by noon on the previous Wednesday. Anything submitted after that time has to be approved by Chairman Dunne.

Regarding warrants submitted for payment, Selectman Espinosa asked if there can be some coordination of people available to sign warrants that need to be paid between Selectmen meetings. A minimum of three signatures is required. Brief discussion followed. Ms. Kennedy will work on developing a schedule on when Board members are available.

Approval of Warrants:

Selectman Crowley read aloud Warrant #11-51, dated 6/23/11, presented for approval:

11-51 Town Bills	\$ 92,005.16
11-51S School Bills	\$ 325,811.40
11-51S Gross Payroll – Town	\$ 248,312.44
11-51SP Gross Payroll – School	\$1,790,117.22
TOTAL:	\$2,456,246.22

Selectman Foresto moved the Board approve Warrant #11-51 in the amount of \$2,456,246.22 as read: Chairman Dunne seconded. No discussion. All ayes, 4-0.

Action Items from Previous Meeting:

#2 – Route 109 Project – Selectman Espinosa stated there was a meeting on June 15 specific to the Franklin/Highland/Main Street intersection. There were good comments from residents. He stated the committee will work with Greenman-Pedersen on the design components to eventually present to the Board. Discussion followed on funding sources.

#3 – American Legion Building – Chairman Dunne stated he had a conversation with Selectman Trindade on this matter, which will be put on the agenda for July 18. He indicated Mr. Trindade's main concern was determining a purpose for the building if taken over by the Town.

#5 – Strategic Initiatives for Economic Development – Ms. Kennedy stated staff is looking at what opportunities exist, how to get past obstacles, and identifying strategies to expand opportunities in Town.

#6 – Virtual Town Hall -- Ms. Kennedy reported that IT Administrator Richard Boucher indicated there was money in his budget to move forward with this project. She will report back to the Board on progress.

#7 – Bylaw Change to Allow Alcohol to be served on Town-owned property – Ms. Kennedy stated she will have more information for the meeting on July 18. The matter would need to be considered at the Fall Town Meeting.

Selectman Espinosa asked the Boys State representatives be invited to the first fall meeting. He stated the Governor of Boys State was from Medway as well as three other representatives. He indicated that the speech made by the Boys State Governor was the best the coordinator had ever heard.

Chairman Dunne stated he would like to add a discussion with the Library Board of Trustees in order to have a discussion on strategy and direction of library, using present and future budget allocations. Noting that a joint meeting would be good, Selectman Crowley suggested it be a separate meeting as it could be lengthy. Chairman Dunne suggested adding this matter to an agenda soon, either July or August.

Town Administrator's Report:

Ms. Kennedy reported Medway will begin being served by a temporary Veterans Agent as of July 1. Mr. Ken Trajanowski is the Veterans Agent for Northbridge and three other communities as an informal district. He plans to hold regular office hours on Friday afternoons. Along with other Town Administrators, Ms. Kennedy is going to meet with the State Veterans Services office in Boston to present the proposal for Veterans District for Medway and other area communities.

A grant application is now available for infrastructure needs such as an economic development and public works project, and the Town can apply to secure funding for the Route 109 water main project. Applications are due by September.

There is a proposal under consideration by the Senate Conference Committee with regard to health insurance reform. If the senate proposal is enacted, it would require that contribution rates be the same for retirees as employees, and the resulting cost to Medway would be over \$300,000 more than budgeted. Discussion followed.

Ms. Kennedy stated that, on a recent trip to Marlborough, Medway received a check for \$158,000 in recognition of its "green" community designation. She noted that Medway was well represented -- Tom Holder, DPS Director; John Emidy, Building Commissioner, Shelly Wieler, Vice chair of the Energy Committee; and Frank Faist, Chairman of the Energy Committee, all attended.

Selectmen's Reports:

Selectman Espinosa – no report.

Selectman Foresto – Regarding the Thayer house, the committee has received two sets of designs from the architect, presently under review by committee. There is a meeting with the architect on June 24. Unhappy with the architect's slowness in performance on the project, he has advised that no further payments be made until after meeting.

Selectman Crowley suggested that the Chairman of the Board of Selectman or an appointee be a representative on the Middle School Building Committee. Brief discussion followed. **Selectman Espinosa moved that Selectman Crowley continue as the Board of Selectmen's representative to the Middle School Building Committee; Chairman Dunne seconded. No further discussion. Vote – 3-0-1. Crowley abstain.**

On another matter, Selectman Crowley asked that the ambulance contract be added to Action Items. Ms. Kennedy stated she would like to get ambulance billing resolved as well.

Acknowledging that there is a lot of road work being done in Medway, Chairman Dunne asked motorists to be patient and take extra time in their travels through town. Additionally, he asked that motorists be cognizant of schoolchildren out and about as Tuesday, June 21, is the last day of school.

Chairman Dunne stated a letter is being sent to the Boston Bruins, congratulating them on their Stanley Cup victory and inviting them to display the Stanley Cup at Medway Pride Day. He hopes for a favorable response.

Approval of Minutes:

Chairman Dunne suggested all minutes for approval could be considered at the meeting on July 18. The Board agreed.

At 9:05 PM Selectman Espinosa moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
June 6, 2011, 6:45 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, and Town Administrator Suzanne Kennedy. Selectman Dunne and Selectman Trindade were absent.

Also Present: Maryjane White, Town Clerk; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Richard Boucher, Director, Information Technology.

At 7:01 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

At 7:02 PM Selectman Foresto moved that the Board go into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body, Sewer Easement Litigation; and to return to public session upon adjournment; Selectman Espinosa seconded. Roll call vote: Selectman Foresto, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 3-0.

At 7:06 PM Chairman Crowley reconvened the public session.

Introduction/Brief Presentation – McGovern Elementary School students Jessica Wong and Aaron Harrahy:

McGovern Elementary School students Jessica Wong and Aaron Harrahy were invited to sit in the selectmen's chairs during their presentation and to lead in reciting the Pledge of Allegiance.

Chairman Crowley stated he visited Mrs. Ward's Grade 2 class as a guest reader. Students were asked to write a letter on civic responsibility as a class assignment. Both students read their entries aloud. First Place winner Jessica Wong suggested more libraries in Town, more places to get books. Second Place winner Aaron Harrahy suggested more outdoor recess or gym time to prevent childhood obesity. Chairman Crowley noted that Aaron's original paper was to establish an educational training center for jobs. The Board complimented the students on their efforts, as well as their entire class for their excellent suggestions.

Reorganization of Board (Chair, Vice Chair, Clerk):

Due to the absence of both Selectman Dunne and Selectman Trindade, it was agreed to reorganize the Board at a future meeting.

Public Comment: none

Action Items from Previous Meeting:

Due to the absence of both Selectman Dunne and Selectman Trindade, discussion of Action Items will be postponed.

School Committee Report from School Committee Liaison: No report.

Approval – Re-Precincting Based on 2010 Federal Census:

The Board was receipt of the following information: (1) old and proposed precinct street lists; and (2) Map showing precincts.

Ms. Maryjane White, Town Clerk, presented a map showing the new precinct configuration. She stated the new boundaries will balance voter population in each precinct and that a precinct cannot have more than 4,000 residents in it. When a precinct reaches capacity, a new precinct must be added, and shifting of voter population occurs. She stated further that the State has seen the configuration being presented and noted that the last re-precincting was done ten years ago. Once proposed lines are suggested, the state recommends using natural boundaries in addition to community delineation such as north-south or east-west streets.

Selectman Foresto moved to accept the 2011 Re-Precincting Plan for the Town of Medway as presented by the Town Clerk; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Authorization of Chairman to Execute Contract for Town Hall Roof Repair – Meadows Construction:

The Board reviewed a Contract, dated June 6, 2011, between Meadows Construction Company LLC and the Town of Medway, with all associated documents.

Present: Tom Holder, Director, Department of Public Services; and David D’Amico, Deputy Director, Department of Public Services.

Mr. Tom Holder reported that this contract is for work to repair the Town Hall roof. Responding to a question from Chairman Crowley about funding, Mr. Holder responded \$150,000 was approved at the 2010 Town Meeting. He stated the work will be done at a much lower cost of \$68,000. The next two estimates came in at \$78,000 and \$84,000, with the highest estimate being \$168,000. The work will be completed over five weeks during which time the crew will strip off existing shingles, replace gutters with external gutters and repair the hatch to the roof.

Selectman Foresto moved to authorize the Chairman to execute a contract with Meadows Construction Company LLC for an amount not to exceed \$68,000 to repair the roof of Town Hall; Selectman Espinosa seconded. It was noted that the specs were written internally. Mr. Holder also stated he is exploring the costs of upgrading the shingles to 30-year shingles. All ayes, 3-0.

Authorization to Expend Grant Funds:

The Board was in receipt of Grant Authorization Forms, dated May 12, 2011, for the following Grants:

- (1) FEMA: \$510,539 for Brentwood Drainage
- (2) MEMA: \$4,000 for Emergency Management Planning
- (3) DOER: \$158,450 for Energy Conservation Measures and Audits at Town Buildings
- (4) Mass. DEP: \$31,000 for Program to Identify and Reduce Unaccounted for Water Loss from Town's Drinking Water System

Present: Tom Holder, Director, Department of Public Services; and David D'Amico, Deputy Director, Department of Public Services.

The Board discussed each grant before voting.

Federal Emergency Management Agency (FEMA) – There has been significant flooding in households in the Brentwood area. This grant represents a 25% match, in addition to \$300,000 appropriated at a previous Town Meeting. Most of the area involved is on private property containing a great deal of ledge. Mr. Holder stated they will attempt to redesign and locate the new pipe in the right-of-way as much as possible. It will be larger in size and sloped differently. The grant has a term limit of three years so these funds will be used first. Chairman Crowley expressed concern that the amount of available money is enough to complete the project. Mr. Holder responded he will watch the scope of the project and subsequent use of funds, anticipating it may take a year for design work, and two years for construction.

Massachusetts Emergency Management Agency (MEMA) – This grant will cover much of the costs associated with the February 17 Hazardous Response Exercise held in Medway with Town boards. Ms. Kennedy stated the exercise was well organized, and that she hopes to have another one this year, as it focuses on preparedness as well as develops camaraderie among staff.

Department of Energy Resources (DOER) – This grant addresses several programs, including variable frequency drives on motors, anti-idling devices on ten municipal vehicles, replacement of fluorescent lighting in the police station and senior center, replacement windows at the water station and performance of full energy audits. This will help generate savings from NSTAR in the form of rebates. Mr. Holder stated he would like to consider solar panels for the police station if it is determined that the roof can sustain the panels. Selectman Foresto thanked the members of the Energy Committee for their hard work, noting that, without the “green” community designation, none of this would be possible. The Board acknowledged the Town Administrator's efforts in recruiting competent individuals to spearhead this effort and involve the entire community.

Massachusetts Department of Environmental Protection (DEP) – This grant will help manage the drinking water supply. Mr. Holder stated present usage is at the threshold of authorized withdrawal, and that the department is driving to increase conservation. Toward this end, he stated the water meter replacement program is almost over, public outreach is planned, and the department will continue the leak detection program using sophisticated equipment. Mr. Holder stressed that these efforts will demonstrate to DEP that the Town is serious in its efforts to conserve water. Ms. Kennedy thanked Mr. Holder and Mr. D'Amico for their efforts and noted that the department applied for this grant last year and was not successful. The funds will be deposited into water enterprise accounts.

Selectman Foresto moved that the Board authorize the expenditure of the \$510,530 FEMA grant, the \$4,000 MEMA grant, the \$158,450 DOER grant and the \$31,000 Mass. DEP grant as presented. No further discussion. All ayes, 3-0.

Announcement of Road Work:

Mr. Tom Holder announced that road work will begin on June 15 as crews prepare to repave Milford Street from Highland Street. This consists of grinding to remove old asphalt, then new paving. The Department of Public Services will work with Police and Fire Departments to create appropriate detours and will be using Blackboard Announcement System to inform residents in affected areas. This work involves approximately two miles of roadway at a cost of around \$400,000.

Discussion followed on other work being done on West Street and Route 126. Chairman Crowley asked for an update on all DPS projects for this year and next year. Selectman Espinosa asked that the update include sidewalk work. Mr. Holder responded that Village Street sidewalks will be completed before winter, from Center Street to Cottage Street.

Year End Transfers (Assessor, Fire, Human Resources, Planning and Accounting Departments):

The Board reviewed Budget Transfer Requests from the following departments: Assessors, \$5,000; Fire, \$5,000; Human Resources, \$5,000; Planning, \$5,000; and Accounting, \$5,000.

Selectman Foresto stated he, Ms. Kennedy and Rich Boucher met with Police Chief Tingley, Bob O'Neil and Matt Reardon regarding use of their communication system. Additionally, he has talked to people in Framingham and Wareham. There is strong support for the use of security cameras and surveillance in the community. The system consists of a server and storage array, monitoring security cameras at the eight sites currently identified: Choate Park, Medway Senior Center, Town Hall, Town equipment barn, three intersections and the recycling center. New cameras will be purchased as well as effecting links to the existing systems. This system can collect and store data from the eight cameras.

Ms. Kennedy stated she has identified \$25,000 in various departments to help provide initial funds, moving money from one department to another, which needs the approval of the Finance Committee. She stated there are sufficient funds at present to install cameras at Town Hall as well as at the DPS facility and the recycling center. Those areas also have funds available.

Discussion followed on grant funding for this type of project, noting that it is a good tool for the Police Department to scrutinize area break-ins. A recurring cost is software maintenance. Data is stored for thirty days; the Town may want to consider an archival policy for longer storage. Chairman Crowley expressed concern for maintenance on the pan tilt zoom cameras as there are no funds set aside for that purpose. Selectman Foresto stated his experience with pan tilt cameras has been good.

Selectman Foresto moved that the Board approve the year-end transfer requests of the Assessor, Fire, Human Resources, Planning and Accounting Departments as presented; Selectman Espinosa seconded. Chairman Crowley expressed concern for long range costs. All ayes, 3-0.

Discussion – Town Website:

Present: Richard Boucher, Director, Information Technology.

Mr. Rich Boucher updated the Board on activities in his department. He stated he would like to convert the present system for support of web services, utilizing unused salary funds. The costs would be for implementation and web design for boards and departments, as well as a yearly maintenance fee. He stated the current web host is going out of business. Town needs to relocate the website and release the current host from the responsibility for their services. He noted the cost would be \$7,500 for implementation and an annual maintenance cost of \$750.

Because the funding is available, a vote of the Board is not required. He just wanted to make the board aware of the change. He noted that the present domain structure is not good, and that a virtual Town Hall would be better, allowing incorporation of streaming video. Discussion followed.

Sandwich boards for Town Election:

Ms. Kennedy stated she will work with the Department of Public Services to determine suitable locations.

Annual Board and Committee Reappointments:

This matter will be addressed when the full Board is present.

Review and Discussion – Veterans Service District (Ashland, Holliston, Hopkinton, and Medway):

The Board reviewed a draft proposal for a Veterans Service District, dated May 2011, comprised of Ashland, Holliston, Hopkinton and Medway.

Ms. Kennedy briefly updated the Board on the proposed Veterans District and asked for its endorsement of the plan as presented. She noted that the proposed plan deviates somewhat from guidelines set up by the state. Discussion followed.

Selectman Foresto moved that the Board support the proposed Veterans Service District, which includes Ashland, Holliston, Hopkinton and Medway, as submitted in the packet and presented by the Town Administrator; Selectman Espinosa seconded. Ms. Kennedy stated that the final outcome on the proposal may not be known until July or August. She noted that a temporary Veterans Agent has been secured in the meantime. All ayes, 3-0.

Discussion – State Application for Keno License – Zio Paolo's Trattoria:

The Board reviewed a letter, dated May 19, 2011, from the Massachusetts State Lottery Commission, notifying the Town of the application for keno license.

Ms. Kennedy advised that state statute allows the Board to call for public hearing, but has not done so in previous situations. Ms. Allison Potter, Assistant to the Town Administrator, stated a license was previously approved for the establishment in 2004. Discussion followed.

Selectman Espinosa moved the Board authorize Zio Paolo's Trattoria to have keno without a public hearing; Selectman Foresto seconded. No further discussion. All ayes, 3-0.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-49, dated 6/7/11 and 6/9/11, submitted for approval:

11-49 Town Bills	\$ 718.52
11-49S School Bills	\$ 299,612.64
11-49P Gross Payroll Town	\$ 220,924.64
11-49SP Gross Payroll School	\$ 759,218.96
TOTAL	\$1,280,474.76

Selectman Espinosa moved that the Board approve Warrant #11-49 in the amount of \$1,280,474.76; Chairman Crowley seconded. No discussion. All ayes, 3-0.

Discussion with School Building Committee Chairman Bob Tucker:

The Board was in receipt of a letter from Town Counsel, dated June 2, 2011.

Mr. Bob Tucker briefly updated the Board on his employment with Compass Project Management in another community and wondered if the Conflict of Interest law applies to him as he is Chairman of the School Building Committee. In the interest of full disclosure, he wanted to obtain the Board's written determination that he is not in violation of Conflict of Interest law. Discussion followed. The Board is first step in the process as they were the appointing agency in the Middle School Repair Project. Town Counsel's opinion has been received.

Selectman Foresto moved that Bob Tucker's disclosed financial interest in temporary employment with Compass Project Management is not so substantial as to be deemed likely to affect the integrity of the services which the Town of Medway may expect from him and that the Chairman be authorized to sign the Determination by Appointing Authority submitted by Mr. Tucker; Selectman Espinosa seconded. No further discussion. It was noted that the motion was provided by Town Counsel. All ayes, 3-0.

Town Administrator's Report:

Ms. Kennedy announced that there is a “Green” Community press conference on Thursday, June 9, and invited board members to attend.

Selectmen’s Reports:

Selectman Foresto – no report.

Selectman Espinosa stated the Route 109 Design Committee met on June 1 to discuss project status relative to funding and the design process, noting that the overall process is taking a bit longer than anticipated. There is no update on \$400,000 other than it will be released when the project reaches 25% design point. He concluded by stating there have been meetings with residents who express great concern for intersection at Franklin Street and the Community Church.

Chairman Crowley suggested the Town consider a change in bylaws to allow alcoholic beverages to be served on Town-owned property so that members of the Board of Selectmen could require a permit. He noted that this would be helpful during the Medway 300 celebration. He requested thoughts from the Board as well as opinion from Town Counsel after which the matter could be brought to Town Meeting. He asked that this matter be included in Action Items.

On another matter, Chairman Crowley thanked Colonel Matondi for an impressive Memorial Day parade. He noted that the 92-year-old Colonel marched in full uniform.

Approval of Minutes:

Approval of minutes was postponed to a later meeting.

At 8:43 PM Selectman Foresto moved to adjourn and return to executive session to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, not to return to public session; Selectman Espinosa seconded. No discussion. Roll call vote: Selectman Foresto, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 3-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
July 18, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Richard Dunne, Selectman John Foresto, Selectman Glenn Trindade, Selectman Dennis Crowley and Town Administrator Suzanne Kennedy. Selectman Andrew Espinosa was absent.

Also Present: Richard Boucher, Director, Information Technology; Brenda Hamelin, Animal Control Officer; Tom Holder, Director, Department of Public Services; Carol Pratt, Town Accountant; Barbara Saint Andre, Town Counsel; Allen Tingley, Police Chief; Paul Trufant, Fire Chief.

At 7:01 PM Chairman Dunne called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments:

At this time, Chairman Dunne stated that at two prior meetings in Executive Session, the Board of Selectmen ratified the Memorandum of Agreement between the Town of Medway and the Massachusetts Laborers' District Council (Municipal Public Employees' Local Union) for the period 2010-2012, as well as a two-year contract extension for the Town Administrator.

Approval – Reappointment of Anthony Biocchi, David Cole and Carol Gould to Zoning Board of Appeals:

The Board reviewed the following information: (1) Letter, received May 23, 2011, from Anthony Biocchi, (2) Email, dated June 5, 2011, from David Cole,; and (3) Email, dated June 29, 2011, from Carol Gould. All communications indicated sender's interest in reappointment.

Selectman Trindade moved to approve the reappointment of both Anthony Biocchi and David Cole to the Zoning Board of Appeals, each for three-year terms expiring on June 30, 2014, and the reappointment of Carol Gould to the Zoning Board of Appeals for a two-year term expiring on June 30, 2013; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Selectman Trindade clarified for residents that everyone who is appointed to the Zoning Board of Appeals has been attending meetings and actively participating.

Approval – Appointment of Charlene Saunders to Council on Aging:

The Board reviewed a Letter of Interest, dated June 14, 2011, from Charlene Saunders, as well as her résumé.

Ms. Charlene Saunders, 59 Holliston Street, stated she has been a Medway resident for over 30 years, and is married with three grown children. She stated she has thirty years experience in the medical field and has concerns for the elderly. Chairman Dunne thanked her for volunteering.

Selectman Trindade moved to approve the appointment of Charlene Saunders to the Council on Aging for a term of three years expiring on June 30, 2014; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Approval – Appointment of Susan Chase to Medway Cultural Council:

The Board reviewed a Letter of Interest, dated June 23, 2011, from Susan Chase, as well as her résumé.

Ms. Susan Chase, 10 Liberty Road, stated she has been working with Cub and Girl Scouts for a number of years, saw the posting for volunteers and thought working with the Cultural Council would be interesting. Chairman Dunne thanked her for coming forward to serve.

Selectman Foresto moved to approve the appointment of Susan Chase to the Medway Cultural Council for a term of three years expiring on June 30, 2014; Selectman Trindade seconded. No discussion. All ayes, 4-0.

Approval – Pledge of License – Medway Beverages Inc. d/b/a Keystone Liquors:

The Board reviewed the application, dated July 11, 2011, and associated documents.

Mr. Gary Passmore, owner and operator of Keystone Liquors, stated he is refinancing a business loan, and one of the requirements of that process is to come before Board of Selectmen to get its approval to change the loan from one bank to another.

Responding to a question from Chairman Dunne, Ms. Karen Kisty, Operations Manager, stated the process is that the Board votes to approve, then that vote is sent to the state and it continues from there.

Selectman Trindade asked Mr. Passmore if there have been any problems. Mr. Passmore stated that there have been no problems. Every person working the cash register has received TIPS training, and there has been no turnover of staff in the time he has owned the store. Police Chief Allen Tingley concurred that there have been no problems.

Responding to a question from Selectman Crowley, he stated this is primarily a financial move to save money, going from an 8% interest rate to 6%. He stated he also wanted to refinance locally with Charles River Bank instead of the Rhode Island bank he is currently using.

Selectman Foresto moved that the Board approve the pledge of license for the purpose of the applicant's securing of financing as presented by Medway Beverages, Inc. d/b/a Keystone Liquors; Selectman Trindade seconded. Chairman Dunne stated he would recuse himself from the vote due to his affiliation with Charles River Bank. Vice Chairman Foresto called for the vote. Split vote- 3-0-1; Dunne abstained.

Discussion/Approval – Reappointment of Petrini & Associates, P.C. as Town Counsel:

The Board reviewed a Letter, dated June 9, 2011, from Barbara Saint André of Petrini & Associates, regarding reappointment as Town Counsel.

Ms. Barbara Saint André, Town Counsel, stated the firm of Petrini & Associates has served as Town Counsel for the Town of Medway since January 1 of 2007, beginning with an initial eighteen-month contract, followed by a three-year contract, which expired June 30, 2011. She stated the proposed contract is similar to that of previous years.

Ms. Saint André stated she has proposed a slight hourly rate increase. She noted that she has enjoyed working with the Town and believes she has a good working relationship with department heads, various boards and the Town Administrator. She indicated there are interesting issues as well as some thorny ones. Ms. Saint André stated that she, as well as Petrini & Associates, has done a good job for the Town, been quick to respond to questions, handle litigation, and sponsor free seminars (which they will continue to do). She stated she is open to suggestions for improvements and respectfully asked that Petrini and Associates be reappointed.

At this time, Chairman Dunne opened the discussion to the Town Administrator and department heads in attendance.

Ms. Suzanne Kennedy, Town Administrator, recommended supporting the contractual relationship with Petrini & Associates. She stated she has found this group to be very responsive, fair and open minded, and an excellent working relationship has been established. She noted that the retainer system, as opposed to some other compensatory format, has worked out very well for the Town. Ms. Kennedy stated she highly recommended a favorable consideration of the contract.

The Police Chief, Fire Chief, Town Accountant, and Director of Information Technology made no comment, but gave a “thumbs up.”

Mr. Tom Holder, Director, Department of Public Services, stated he has worked with Petrini & Associates not only in Medway but previously when he worked in another municipality. He stated he has been with them in court with claims and counterclaims, and appreciates their legal opinion in all sorts of cases. He highly recommended reappointment.

Selectman Crowley asked if the contract can be renewed numerous times. Ms. Saint André stated the contract could be renewed, but noted that at renewal time the Town can send out an RFP if they want to explore contracting with another firm. Selectman Crowley commented that, during his tenure as Chairman of the Board of Selectmen, Ms. Saint André returned calls within 24 hours with an answer to his question or a promise to look into it. He stated she has a good knowledge of municipal law and he supports a three-year contract renewal.

Selectman Trindade echoed Selectman Crowley’s comments. He clarified for residents viewing the broadcast that the Town originally contracted with Petrini & Associates for their expertise in land issues. He stated he also supports a three-year extension.

Selectman Foresto stated Ms. Saint André is always available, quick to return calls and help out. He stated his preference for a two-year extension.

Chairman Dunne extended kudos to the firm, commenting that Ms. Saint André gets the right people involved. He stated the amount of knowledge offered is most impressive.

Chairman Crowley asked Selectman Foresto if he would consider a three-year renewal. Selectman Foresto stated that there may be new members on the Board of Selectmen next year and it would be good for them to make a decision on a contract renewal themselves.

Selectman Trindade suggested that comparing various firms in the areas of expertise we need, i.e., land issues, planning, contractual services, litigation, etc., this firm was the first choice, far above the others who weighed in.

Chairman Dunne suggested a compromise, a motion to reappoint, leaving the time period TBD (To Be Determined) when the full Board of Selectmen is available.

Selectman Foresto reconsidered his position, stating that the Town Administrator would be leaving in two years, and a three-year contract for Town Counsel would allow for continuity while a new Town Administrator gets acclimated to the Town.

Selectman Foresto moved that the Board approve the reappointment of the firm of Petrini & Associates, P.C. as Town Counsel for Fiscal Years 2012, 2013, and 2014 with the retainer for basic town counsel services set at \$57,000 for Fiscal Year 2012, and \$60,000 for Fiscal Years 2013 and 2014 as proposed by Ms. Saint Andre; Selectman Trindade seconded. No further discussion. Split Vote - 3-1; Dunne oppose. Chairman Dunne specified he objected only to the length of the contract.

Authorization of Chairman to Execute Contract for Ambulance Billing and Collection Services – ProEMS Solutions, Inc.:

The Board reviewed the following information: (1) Contract, dated July 11, 2011, signed by the Town Accountant and ProEMS Solutions, Inc.; and (2) Email, dated July 12, 2011, from Town Counsel approving the contract as to form.

Ms. Kennedy stated the department has been working with the current vendor without benefit of a contract. She stated the new firm has a wealth of experience in billing, as well as being equipped to provide ambulance service.

Selectman Crowley stated he met with the proposed vendor and is impressed with new vendor. This particular vendor is not interested in providing ambulance service due to the distance (out of Cambridge) but is very interested in the billing function. In their discussion, Ms. Kennedy and Selectman Crowley learned things the old company should have been doing but was not, and the new vendor answered every question asked.

Fire Chief Paul Trufant stated he discussed the change in vendors with his captains. He stated the EMS coordinator is delighted with the new company, and the department recommends the new company without reservation.

Ms. Kennedy stated the firm's fee is 4% of collected revenue. She stated further that staff will have access to software at no additional cost, and that data entry errors will be minimized due to electronic data posting.

Selectman Crowley stated the billing is done at a flat rate. When asked how the other vendors measured up, Ms. Kennedy stated this vendor had the best written proposal. Chief Trufant stated this vendor's collection rate is around 90%, while presently Medway's rate is around 70%.

Selectman Trindade moved that the Board authorize the Chairman to execute a one-year contract with ProEMS Solutions, Inc. to provide ambulance billing and collection services in an amount not to exceed 4% of collected revenue; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

Authorization of Chairman to Execute Contract for OPEB Services – The Segal Company:

The Board reviewed a contract, dated June 20, 2011, and signed by The Segal Company, Town Counsel and Town Accountant.

Ms. Carol Pratt, Town Accountant, stated the Town is required to perform an actuarial study on an annual basis and noted this would be Medway's third such study. Ms. Kennedy stated the Town did issue an RFP for the actuarial services, and this firm was the one the Town Accountant thought should be selected. She noted that this firm did Medway's study in 2009 and they were happy with those results.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with The Segal Company, Inc. for OPEB actuarial services in an amount not to exceed \$9,500; Selectman Crowley seconded. No further discussion. All ayes, 4-0.

Authorization of Chairman to Execute Contract Amendment #3 – Comm-Tract – Agreement for Fiber Optic Network:

The Board reviewed the following information: (1) Letter, dated May 16, 2011, from Town Counsel approving the amendment as to form; (2) Third Amendment to Contract, dated June 14, 2011, signed by Comm-Tract Corp., Town Counsel and Town Accountant; and (3) Original Contract with First and Second Amendments.

Mr. Richard Boucher, Director, Information Technology, stated this amendment represents the final phase of the fiber optic contract to close the loop from Lovering Street to the Medway High School. Funding has been approved at previous town meetings. Selectman Foresto stated this is the best way to do it, as it builds up the network and provides redundancy. Mr. Boucher concurred, noting the high school is already using it, and stressing the need for continuity of service. Selectman Trindade stated

that having “drops” at the Medway Senior Center and other public buildings provides opportunities to use those areas for filmed meetings and functions.

Mr. Boucher stated the full amount of the amendment fees totals \$53,843, noting additional funds came in from Verizon. He stated he would like to put the poplatic well online, in addition to other DPS sites. There was brief discussion on the loop, earlier phases, and possible small additions.

Selectman Foresto moved that the Board authorize the Chairman to approve the Third Amendment to the original contract with Comm-Tract Corp. to provide continued fiber optic network services in an amount not to exceed \$53,843.68; Selectman Trindade seconded. It was noted that this will be a cooperative effort with the Cable Access Board and that residents should start seeing more things come online as more events are filmed. All ayes, 4-0.

Authorization of chairman to Execute Contract for Brentwood Drainage Improvements – Haley and Ward, Inc.:

The Board reviewed a contract, dated June 9, 2011, signed by Haley and Ward, Inc., Town Counsel and Town Accountant.

Mr. Tom Holder, Director, Department of Public Services, stated the funding for this work was approved at Annual Town Meeting 2010, in addition to a grant from FEMA. He stated this particular contract is for design services. He noted the firm has done a lot of work on the project already, prepared the grant application, knows the neighborhood, and has done work on other projects for Medway. Mr. Holder stated he is very comfortable with this company, and is confident they are the right group to handle the work. Ms. Kennedy stated the cost of the study was \$200,000. Discussion followed. Mr. Holder stated this contract provides that the firm will include engineering support through the construction process. Out of the original approved funding, \$630,000 remains for construction. He does not envision needing additional money, but admitted there is ledge and other property issues. Responding to a question from the Chairman, Mr. Holder stated the contract is awarded based on the Town’s ability to borrow. Many times a contract includes small things that could be done if funds are available, and eliminated if fund are not, or, if need be, scale the scope of the project to available funds.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Haley & Ward for engineering services related to drainage improvements at the Brentwood development in an amount not to exceed \$191,334; Selectman Foresto seconded. Responding to a question from Selectman Crowley, Mr. Holder stated the 24% fee may seem high but it covers construction oversight, often specified in a separate contract but included in this one. There are also a lot of reporting requirements. He also did not feel there was adequate DPS staff at this time to perform the many reporting requirements. Ms. Kennedy stated there is a time limitation on using the money from the state. Mr. Holder stated the construction project itself will go out to bid in January with the hope of beginning construction in June 2012. All ayes, 4-0.

Dog Hearing – Jones:

The Board reviewed the following information: (1) Timeline of events prepared by Brenda Hamelin, Animal Control Officer; (2) Police incident report, dated May 30, 2011; (3) Temporary Restraining Order, dated June 3, 2011; and (4) Hearing Notice to owner, dated July 5, 2011.

Present: Ms. Brenda Hamelin, Animal Control Officer, Town of Medway.

At 8:00 PM: In accordance with Massachusetts General laws, Chapter 140 Section 157, Chairman Dunne opened the hearing by reading the hearing notice sent to Ms. Laurie Jones, 10 Broad Street, Apt. E.

Chairman Dunne briefly reviewed the procedural guidelines for dog hearings, specifying the amount of time spent on each component. He stated that, due to the owner's absence, the hearing could remain open but continued to another time. Ms. Jones will be notified that the next time will be the last time, and the matter will be decided. Ms. Hamelin stated Ms. Jones had indicated she would not attend.

Chairman Dunne asked the Board to consider continuing the hearing until the next Selectmen's meeting on August 15. At that time, if there is no one to represent the Jones' dog, the hearing will proceed and the matter will be decided.

Selectman Trindade moved that the Board extend the hearing until August 15 for the disposition of the Jones dog matter; Selectman Foresto seconded. Ms. Hamelin will notify the owner of the Board's decision. All ayes, 4-0.

Selectman Crowley stated the owner's absence is disrespectful to the Board.

[At 8:12 PM the dog's owner arrived and was informed that the matter had been voted.]

Approval – Contract for Public Use of Town Property (2B Oak Street):

The Board reviewed a contract draft prepared by Town Counsel.

Ms. Karen Kisty, Operations Manager, reminded the Board this action was sparked by a request to perform metal detection at this property and the Board had asked Town Counsel to prepare a document. She stated that Town Counsel drafted a contract specifying access to the property, what shall happen with finds, liability, etc. Ms. Kisty noted that this document may serve as a template for other types of requests. Discussion followed.

Selectman Trindade moved that the Board approve the contract prepared by Town Counsel which will provide authorization for metal detector use as well as parameters for ownership/disposition of articles located as a result of conducting search of property with metal detectors; Chairman Dunne seconded. Selectman Crowley wondered why it has taken up so much time to do this and objected to the bond requirement. Chairman Dunne agreed that Section 7 was too much. Ms. Kennedy stated some type of contract is recommended, and that the Board could modify it. Discussion followed. Selectman Trindade stated he did not object to deleting the language requiring the bond.

Selectman Trindade amended his motion as follows: I move that the Board approve the contract prepared by Town Counsel which will provide authorization for metal detector use at 2B Oak Street as well as parameters for ownership/disposition of articles located as a result of conducting search of property with metal detectors with the proviso that Section 7 be deleted and other sections be renumbered accordingly; Chairman Dunne seconded. No further discussion. Split Vote -- 3-1; Foresto oppose.

Selectman Trindade reminded the Board of their earlier concern for safety if searchers leave holes in the lawn and someone falls.

Ms. Kennedy emphasized the distinction being that items of historic value should come to the Town. The contract provides for clear ownership of items with identifying information

Report – Proposed Sale of American Legion Building – Selectman Trindade:

Present: Doug Wahl, representing the American Legion.

Selectman Trindade posed the following question: Does the Town of Medway have any interest in doing something with this property? He stated that the building was purchased in 1945, has a lot of parking, has been well maintained, and has a large space which offers itself to a variety of uses. He stated further that the first floor meets ADA requirements for handicapped and disabled persons, but would require the addition of an elevator for disabled access to second floor. He suggested possible uses for scout functions, meetings, and additional Town offices on the second floor. He stated the property is valuable, and in 20 years will be more valuable.

Discussion followed on funding, uses, management and maintenance. Funding cannot come from Community Preservation Act funds as it is not a historical building. Ms. Kennedy suggested recreational purposes. Selectman Crowley suggested a teen center. He stated he had heard that the building was donated to the American Legion, and suggested title research. Selectman Trindade suggested further investigation into a pricing structure.

Chairman Dunne expressed concern for the Town owning a building with an unknown purpose. Selectman Crowley would like to continue exploring possible uses. Selectman Foresto expressed concern that taxpayers will be asked to fund two buildings that have the same general purpose and would that be a financial overload for residents. Conversely, will we look back with regret if we act now. He suggested that more information is necessary. Selectman Trindade stated he thinks it's worth looking at, noting that properties at 2B Oak Street and 50 Winthrop Street were purchased for the land, not necessarily the buildings.

Mr. Wahl stated he has paperwork declaring the building was purchased, not donated.

Selectman Trindade stated he will work with the Town Administrator on how to proceed.

Approval of Cystic Fibrosis Cycle for Life Charity Bicycle Ride Route:

The Board reviewed the following information: (1) Correspondence from Terry Waite, Director of Special Events for Cystic Fibrosis Foundation, dated June 16, 2011; and (2) Letter, dated June 30, 2011, from Police Chief Allen Tingley.

Selectman Trindade moved to approve travel of bicyclists participating in the CF Cycle for Life Bike Tour through the Town of Medway on October 1, 2011 with the proviso that the organizers follow the safety parameters outlined in Chief Tingley's letter dated June 30, 2011; Selectman Foresto seconded. Chief Tingley stated all requirements have been met thus far and he foresees no problems. Split Vote -- 3-0-1: Selectman Crowley abstained, expressing concern for bicyclist safety on Hill Street due to numerous potholes.

Approval of Warrants:

Selectman Crowley read aloud Warrant #12-3, dated 7/21/11, submitted for approval:

12-3P	Gross – Payroll Town	\$282,695.82
12-3SP	Gross – Payroll School	\$486,457.97
	TOTAL	\$769,153.79

Selectman Trindade moved the Board approve Warrant #12-3 in the amount of \$769,153.79 as read; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Dog Hearing – Tucker:

The Board reviewed the following information:

- (1) Timeline of events prepared by Animal Control Officer*
- (2) Animal Bite Reports dated May 7, 2008; August 23, 2007, and January 31, 2011*
- (3) Owner "action taken" response, dated February 6, 2011*
- (4) Email from Kristin Trufant, dated May 26, 2011*
- (5) Temporary Restraining Order, dated May 31, 2011*
- (6) Hearing notice to owner, dated July 5, 2011*
- (7) Hearing notice to Dean Street residents, dated July 8, 2011*
- (8) Complaint letter from C. Smith, dated May 3, 1995*
- (9) Complaint letter from C. Hallett, dated May 4, 1995*
- (10) Assorted Daily Log/Information Supplement Reports May/June 1995*

Present: Brenda Hamelin, Animal Control Officer; Bob Tucker, Kristen Trufant, neighborhood residents

At 8:30 PM: In accordance with Massachusetts General laws, Chapter 140 Section 157, Chairman Dunne opened the hearing by reading the hearing notice sent to Carla and Bob Tucker, 12 Dean Street.

Chairman Dunne briefly procedure guidelines with regard to dog hearings, specifying the amount of time spent on each component.

At this time, Chairman Dunne swore in any individual wishing to speak during the hearing, specifically, Ms. Hamelin, Ms. Trufant and Mr. Tucker. All agreed to abide by the rules of the proceeding.

Ms. Brenda Hamelin, Animal Control Officer, briefly reviewed various incidents where the Tucker dog "Brody" has bitten people, beginning in 2007. She noted that three and a half years went by until an incident in 2011. She noted further neither of the Tucker dogs were licensed in 2010.

Ms. Hamelin read a communication the Hallett family, who live next door to the Tuckers at 10 Dean Street, indicating they have no problems with Brody. Interesting to note this is the same family who complained about "Princess", another Tucker dog, in 1995. Ms. Hamelin also read an email from Mr. Todd Alessandri of 8 Dean Street, stating the dog has not bitten anyone in his family, yet is very aggressive when defending his turf. Mr. Alessandri stated he has had to swerve into traffic because he was not sure the dog would stop at edge of street. He also mentioned another dog, a small terrier, that is regularly unleashed and loose in the neighborhood.

Ms. Hamelin presented a brief review of similar issues with Princess, barking, growling and acting aggressively. She stated the Tuckers are well aware of leash law, and Mr. Tucker claims the dog can open door by himself, the reason he was outside without the electronic collar. The door has a push-down type of handle rather than a doorknob.

Mr. Bob Tucker has taken action to remedy the situation, and sought a wireless system as a backup to a regular fence. That system has been installed. He is also pursuing dog training and purchase of muzzle as requested by the temporary restraining order. Mr. Tucker also submitted a picture of the fence recently completed. He stated it took two months to get it installed because the vendor was backed up on work orders. He offered to submit copies of receipts and contracts.

Mr. Tucker stated the wireless system has worked fairly well, despite issues involving underground wires and collar. He recently discovered the collar was defective and had to be replaced, but there was no outward indication of broken wires inside. Today they learned that a lightning storm destroyed the controller system which has been replaced, and added an upgrade to protect from future lighting outage. The enhanced wireless system is now up and running. Mr. Tucker stated the exterior 6' fence circles the entire yard as a secondary measure. The family keeps him inside the fence.

Ms. Kristin Trufant, 14 Forest Road, reported an incident when she was walking two dogs with husband and children, and when they reached the Tucker property, Brody came out growling. She pointed out they were in middle of road, and not that close to the property. The dog came running out into road, and grabbed her dog (a three-year-old boxer) by the neck. She yelled at him, and he backed off a little. Ms. Trufant stated Mr. Tucker came out, grabbed the dog and walked back in. He did not speak to them, just went back inside. Selectman Crowley asked if she had taken her dog to the vet to which she responded she did not need to. She stated she was happy she had her dog under control, and that it was not her daughter walking the dog.

Ms. Hamelin stated this incident occurred after the February incident when Brody was found outside unsupervised and without muzzle. Mr. Tucker stated he was also outside at that time.

At this time Chairman Dunne asked for the Animal Control Officer's recommendation. Selectman Crowley suggested hearing comments from the Board first, so that the recommendation doesn't influence their thinking.

Chairman Dunne expressed disappointment that a dog can bite people numerous times without being put down. He acknowledged that people often treat their dogs like members of the family and asked Mr. Tucker for his side of the story. Mr. Tucker responded that when Brody is around the family, he is as loving as can be. They got the exterior fence to keep him on the property yet allow him some freedom of movement. The fence surrounds the front and side yards. Selectman Crowley asked if there is a chance that Brody can jump over the fence. Ms. Hamelin stated she was happy to see the front door covered by the exterior fence, yet the garage door is not. She is concerned about the door between the garage and the house, and whether the dog can open that one as well. The electric fence is only as good as its components.

Mr. Tucker stated the kitchen door has a different latching mechanism and the dog is not able to open that type of door.

Selectman Foresto asked if this was the first time the Tuckers have had a dog hearing. Ms. Hamelin responded that this is the first time. Selectman Foresto asked if the dog will be muzzled while in the yard. Mr. Tucker stated his preference is not to muzzle him when he is outside within the confines of the fence, but he will do so when walking him outside the fence on a leash.

Selectman Trindade expressed dismay that there is a second dog that is allowed to walk out unattended. As a dog owner, he stated it is also a danger to the dog to be left unattended. Residents cannot ignore the leash law. Selectman Trindade acknowledged Mr. Tucker's efforts to contain the dog, installation of both electronic and physical fencing systems, training as recommended by the vet, and Mr. Tucker's optimism that the dog can be managed. Mr. Tucker stated he is not disputing any facts, and that he is just trying to remedy the situation.

Chairman Dunne stated he did not know how a hearing has been avoided before now, remarking that this is a problem dog.

Responding to Chairman Dunne's request for her recommendation, Ms. Hamelin stated she was first going to recommend euthanization, but sees that the owner has done all he can do to contain dog by installing two kinds of fences. She acknowledged that it is unknown whether the dog will dig under the fence or jump over it. She stated she is torn between a permanent restraining order and ordering the dog to be put down.

Chairman Dunne remarked that it was fortunate the dog's rabies vaccinations have been up-to-date for each incident.

Selectman Crowley stated he took the time to phone two people affected by incidents, as well as another resident. None of those people wanted to put the dog down, instead taking the position that as long as the fence was believed to be secure and the dog is contained within structure, they were ok with that. All were in favor of giving dog one more chance. Ms. Hamelin clarified that a permanent restraining order can define whatever conditions the Board deems necessary.

Ms. Hamelin stated her recommendation would be a permanent restraining order, that the dog must be leashed and muzzled when off property. Further, if the dog is found off property without a muzzle, the dog can be picked up and euthanized no matter what it does.

Selectman Crowley asked Ms. Trufant if those conditions were acceptable to her. She responded they were acceptable, and that she just wants to be safe when walking her dogs.

Selectman Trindade moved the Board approve the Animal Control Officer's recommendation of a Permanent Restraining Order, specifying that the dog must be confined to the property at 12 Dean Street, and muzzled when it leaves that property on a leash; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

At 9:02 PM Selectman Trindade moved to close the dog hearing; Chairman Dunne seconded. No discussion. All ayes 4-0.

School Committee Report from School Committee Liaison:

There was no report.

Action Items from Previous Meeting:

#4 -- Storm Water Resource Management Plan – Ms. Kennedy stated she is giving serious consideration to joining regional group and is looking into all the particulars.

#6 – Selectman Foresto stated there will be a meeting this week to transition to new website, Virtual Town Hall.

Discussion – Board of Selectmen Strategic Planning:

Chairman Dunne stated that while day-to-day efficiencies are the responsibility of the Town Administrator, the Board of Selectman needs to at overall strategies. He compared it to coordination of an event like Medway's 300th anniversary, i.e., taking a large event and breaking it into smaller pieces that will work cohesively together. Chairman Dunne asked the Board members for their thoughts on long range plans. He would like to hold an off-site strategic planning meeting. One topic suggested: Looking Ahead to Live in Medway in 2020.

FY12 Selectmen Liaison Appointments:

The Board reviewed a list of proposed liaison appointments to Town boards and committees.

After brief discussion, it was suggested that Chairman Dunne will join the Finance Committee and the Budget Subcommittee, Selectman Crowley will join the School Committee as well as the Budget Subcommittee, and Selectman Espinosa will join the School Committee. The liaison appointments are as follows, subject to change:

Board of Assessors	Selectman Espinosa
Board of Health	Selectman Espinosa
Constables	Selectman Espinosa
SWAP	Selectman Espinosa
Town Clerk	Selectman Espinosa
School Committee Rep	Selectman Espinosa
Finance Committee	Selectman Crowley
GATRA	Selectman Crowley
Medway School Building Committee	Selectman Crowley
Park Commission	Selectman Crowley
Town Counsel	Selectman Crowley
Town Moderator	Selectman Crowley
Water & Sewer Commission	Selectman Crowley
Community Preservation Committee	Selectman Trindade
Conservation Commission	Selectman Trindade
Norfolk County Advisory Board	Selectman Trindade
Open Space	Selectman Trindade
Planning and Economic Development board	Selectman Trindade
Zoning Board of Appeals	Selectman Trindade
Cable Advisory Committee	Selectman Foresto
Disability Commission	Selectman Foresto
ESCO Review Panel	Selectman Foresto
School Committee Rep	Selectman Foresto
Town Wide Energy Committee	Selectman Foresto
Tri-County Vocational School	Selectman Foresto
Board of Library Trustees	Chairman Dunne
Finance Committee	Chairman Dunne
Housing Authority	Chairman Dunne
MBTA Advisory Board	Chairman Dunne
Municipal Building Committee	Chairman Dunne
DPS Facility Study	Chairman Dunne

Town Administrator's Report:

Ms. Kennedy stated she had a brief conversation with the Deputy Secretary of Veterans' Services for the state, who indicated Medway had received preliminary approval to form the Veterans District. She stated she is waiting for the official approval to arrive before advertising for agents.

Ms. Kennedy stated she attended the Affordable Housing Trust meeting on Wednesday, July 13, and reported efforts are being made to hire a housing specialist in cooperation with the Affordable Housing Trust of Holliston. A job description has been prepared and is going through the approval process. They hope to start recruitment after Labor Day. Discussion followed on general affordable housing matters,

suggestion that the Town should take over the monitoring of affordable housing units in town. Selectman Crowley expressed concern that this function would be covered under the scope of work for this housing specialist.

Ms. Kennedy stated she had a visit from a staff person from Senator Kerry's office, offering help in a variety of services. A letter will be written on our behalf to support COPS funding.

Selectmen's Reports:

Selectman Foresto stated there is a walk-through meeting with the architect at the Thayer House, 2B Oak Street, on Tuesday, July 19 at 7 AM, if anyone was interested in joining him.

Selectman Foresto stated the Medway 300 plans are moving right along. He suggested holding an evening meeting for everyone who indicated they would like to be involved, possibly serving appetizers and alcohol, possibly at the senior center. Ms. Kennedy stated she is working on an amendment to the existing bylaw which would allow alcohol to be served on Town-owned property. Beautification projects were suggested, but it was questioned whether that should be handled by DPS staff or by volunteers. This would be in addition to annual town cleanup.

Selectman Crowley asked for financial reports for FY11. Ms. Kennedy stated all revenues have not been posted and the Town Accountant is still waiting for bank statements. She is optimistic these reports should be finished by July 30.

Selectman Crowley noted that four high-school students are picking up trash.

Chairman Dunne reminded the Board of a joint meeting with the Library Board of Trustees on August 16 at the Medway Public Library at 7:00 PM. He asked the Town Administrator to invite the Chairman of the Finance Committee as well as the Finance Committee liaison. The goal of this meeting is to discuss with the Trustees their strategic plans for moving forward now that library regionalization is no longer being explored.

Chairman Dunne stated he received a phone call from an attorney representing a resident with land for sale in the center of town. He indicated he will forward the information to the Open Space committee, and inform the attorney of the proper procedure in matters of this type.

Approval of Minutes:

The Board reviewed draft minutes of Board of Selectmen meetings held on February 1, 2011; February 24, 2011; March 5, 2011; March 31, 2011 and June 20, 2011.

At this time, Selectman Crowley stated he had not yet reviewed the minutes from March 31, 2011 and June 20, 2011.

Selectman Trindade moved that the Board accept the minutes of February 1, 2011, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Regarding the minutes of February 24, 2011, Chairman Crowley asked that the cleaning contract noted on page 3, line 1 be identified as belonging to the library.

Selectman Trindade moved that the Board accept the minutes of February 24, 2011, as amended; Chairman Dunne seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved that the Board accept the minutes of March 5, 2011, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

At 9:27 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
July 8 2011, 7:30 AM
Town Administrator's Conference Room, Town Hall
155 Village Street**

Present: Chairman Richard Dunne, Selectmen John Foresto, Selectman Andrew Espinosa, and Town Administrator Suzanne Kennedy. Selectman Glenn Trindade arrived at 7:40 AM. Selectman Dennis Crowley was absent.

At 7:33 AM Chairman Dunne called the meeting to order, and the Board recited the Pledge of Allegiance.

Approval of Common Victualler License – T.C. Scoops:

The Board was in receipt of an Application for Common Victualler License from Tina Chemini, T.C. Scoops, 100 Main Street, with all associated documents.

Ms. Allison Potter, Administrative Assistant to the Town Administrator, stated that all supporting documents from other boards and departments have been properly completed and that all are in order. Ms. Chemini plans to open the establishment on July 15.

Selectman Foresto moved that the Board grant a Common Victuallers License to T.C. Scoops, LLC, located at 100 Main Street; Chairman Dunne seconded. No discussion. All ayes, 3-0.

It was noted that the Planning Department is creating a brochure identifying all steps required to establish a business in Medway. Discussion followed.

Discussion -- Board liaison positions:

Board members received a list of potential assignments to other boards and committees. They were asked to review the list and suggested assignments before the next meeting. Some assignments may no longer be necessary if the listed committee is no longer in existence or is of an ad hoc nature.

Discussion – Cable Access Communication System:

Selectman Foresto reported that the cable access channel is planning to give the Town funds to facilitate an electronic banner communication system for posting of meeting notices and other pertinent community information. As a non-profit group, they cannot keep funds for extended periods of time so are looking into ways of participating in community activities. Selectman Foresto stated the Town

already owns the software for the system. Town Administrator Kennedy suggested a message could be as short as “Need Volunteers – See Website” to get a message out to the public.

Selectman Foresto stated there is also an opening on the Board of Directors for the cable access channel and asked that Selectmen forward names of interested persons to him.

Miscellaneous:

Library Board of Trustees – Chairman Dunne has scheduled a joint meeting with the Library Board of Trustees for Tuesday, August 16. The purpose of the meeting is to discuss goals for the library now that regionalization is no longer being explored. Selectman Trindade asked if the Finance Committee has been invited; Chairman Dunne responded he would do so.

Remote Attendance at Meetings – There was brief discussion on creating the ability for the Board to meet “remotely”, i.e., connect electronically instead of being physically present. Chairman Dunne reported that the Open Meeting authors are looking into it. Presently the law allows for people to attend remotely via Skype or conference call, but an actual meeting has to be held at a specific location. Discussion followed.

Leadership Meetings – Chairman Dunne announced that twelve meetings have been scheduled on various Mondays at 6 PM. Though this has not always been the practice, he has asked that minutes be taken at these meetings from now on.

Combined Labor Counsel -- There was brief discussion regarding securing a contract for combined labor counsel for both the Town and the School Department, noting that this should ultimately happen before union contract negotiations begin.

Board of Selectmen Goals and Strategies – Chairman Dunne asked that the matter of the Board’s strategy for the coming year be placed on a meeting agenda. Strategic direction for the Town is the Board’s responsibility.

Dog Hearings – It was noted that there will be several dog hearings at upcoming meetings. It was suggested that a single meeting be scheduled to handle the dog hearings.

New Water Tank – Selectman Trindade suggested a cable access story on the new water tank. Selectman Foresto stated the “Talk of the Town” program will soon begin and he will suggest the water tank as a potential topic.

Video Production Training -- Selectman Foresto reported that the Cable Access Board is discussing training people for video production. Discussion followed. Selectman Foresto offered to discuss the Sanford Hall and its equipment with the IT Director to get his recommendations before making changes to the room.

Electronic Communications – There was brief discussion on updating electronic communications so that residents can sign up to receive periodic updates or newsletters via email.

**At 8:04 AM Selectman Foresto moved to adjourn; Selectman Trindade seconded. No discussion.
All ayes, 4-0.**

Respectfully submitted,

Jeanette Galliardt

Board Secretary

Board of Selectmen's Meeting

August 15, 2011, 6:30 PM

Sanford Hall, Town Hall

155 Village Street

Present: Chairman Richard Dunne, Selectman John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade, Selectman Dennis Crowley and Town Administrator Suzanne Kennedy.

Also Present: Missy Dziczek, Director, Council on Aging; Brenda Hamelin, Animal Control Officer; David D'Amico, Deputy Director, Department of Public Services; Chan Rogers, Water/Sewer Commission Member and Medway Representative to the MAPC; Barbara Saint André, Town Counsel; Allen Tingley, Police Chief; Paul Trufant, Fire Chief.

At 6:32 PM Chairman Dunne called the meeting to order and led the Board in the Pledge of Allegiance.

At 6:33 PM Selectman Trindade moved to go into Executive Session for the following purposes: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body (Exemption 3) and to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (Exemption 6) with respect to the following: Claybrook II, American Legion Property, and Sewer Easement Litigation; Selectman Foresto seconded. No discussion. Roll Call Vote – 5-0: Dunne, aye; Crowley, aye; Trindade, aye; Foresto, aye; Espinosa, aye.

At 7:11 PM Chairman Dunne reconvened the public session.

Public Comments: None

Authorization to Expend Grant Funds – Executive Office of Elder Affairs - \$10,346:

The Board reviewed a grant expenditure form and supporting funding formula document.

Ms. Missy Diczek, Director, Council on Aging, stated this grant will help support volunteer appreciation, and continue various exercise programs. There will be another grant available to help fund the programs set up by a nurse shared with the Town of Franklin.

Selectman Foresto moved that the Board authorize the expenditure of \$10,346 awarded by the Executive Office of Elder Affairs for the purposes outlined in the authorization form submitted to the Board; Chairman Dunne seconded. No discussion. Vote -- 3-0 (Espinosa and Trindade were out of the room at the time of the vote.)

Authorization to Expend Grant Funds – MAPC Bike Rack Program -- \$9,181.50:

The Board reviewed the following information: (1) a grant expenditure authorization form; (2) MAPC letter of approval, dated February 2011; and (3) Trilary, Inc. quote for bike racks, dated August 8, 2011.

Present: David D'Amico and Chan Rogers

Mr. David D'Amico stated DPS has submitted information identifying locations for bike racks in town, mostly at schools. He stated there will be approximately \$3,000 in expenditures on the part of the Town to pour foundations as well as other installation costs.

Selectman Foresto moved that the Board authorize the expenditure of \$9,181.59 awarded by the MAPC Regional Bike Parking Program for the purchase of fourteen bike racks; Chairman Dunne seconded. No discussion. Vote - 2-1 (Crowley, oppose; Espinosa and Trindade were out of the room at the time of the vote.)

Discussion – Potential Water Shut off on Properties with No Scheduled Meter Replacement:

The Board reviewed a proposed letter to be sent to property owners who have no scheduled water meter replacement.

Present: David D'Amico and Chan Rogers

Mr. David D'Amico stated that approximately 50 properties in town have been non-responsive to meter replacement. The Department of Public Services has sent letters to property owners via registered mail, and a Notice of Shutoff has gone out. Departmental staff will mark those meters this week, leaving note of impending shut off, which will be followed by the water actually being shut off. Properties without a viable source of water can be condemned. Mr. D'Amico stated he believes some of these properties may be abandoned already. Brief discussion followed.

It was noted that the letter has already gone out, and that it was approved by the Water Commission before it went out.

Approval – Agreement for Legal Services – Petrini & Associates:

The Board reviewed a proposed contract between Petrini & Associates and the Town of Medway for the period of July 1, 2011 through June 30, 2014.

Selectman Trindade moved that the Board authorize the Chairman to sign the legal services contract with Petrini & Associates as submitted in the packet; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

School Committee Report from School Committee Liaison:

Ms. Deb Trindade stated things have been fairly quiet with the School Committee this summer. There was a meeting in July, and they will meet again at the end of August. New staff included two new administrators, a new principal at Burke Memorial, and a new director of special education, respectively. At the middle school, offices have been moved around to accommodate the repair project and solar panels are in place, supplying energy to the annex until both buildings are connected. Updates on the repair project can be found via a link on the school website.

Selectman Crowley noted that the contract with Consigli has not yet been signed, as it is being reviewed by attorneys at present. The risk is on the part of the contractor, if he begins work without a signed contract. Discussion followed.

Selectman Espinosa asked if there would be disruption to gym use during this work, as he had been approached by a resident with concerns. Ms. Trindade stated work on the gym will likely be done when basketball is not in session. Interested parties should contact the school.

Selectman Crowley asked if the amount of circuit breaker funds has been identified yet. Ms. Trindade replied it came in around the 65% level, noting that their budget allowed for a 60% level. The actual dollar amount may not be known until the report has been received.

Approval – Alex Handy 5K Memorial Walk/Run – September 17, 2011:

The Board reviewed a recommendation from Police Chief Tingley as well as information and forms associated with the Memorial Walk/Run submitted by Ann Handy.

Selectman Foresto moved that the Board approve the Alex Handy Memorial Walk/Run on September 17, 2011 with the condition that the organization hire two detail officers as recommended by the Police Chief; Selectman Trindade seconded; No discussion. All ayes, 5-0.

Approval – One Day Liquor License – The Buffet Way, Inc. – September 17, 2011:

The Board reviewed the following information: (1) One-day Liquor License application, dated July 13, 2011, including proof of insurance; (2) Email, dated July 22, 2011, from Police Chief Tingley approving event; and (3) Digital approval of Building Commissioner, dated July 22, 2011.

Selectman Foresto moved that the Board grant a one-day liquor license to The Buffet Way, Inc. to cater a September 17, 2011 wedding at St. Joseph's parish center; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Action Items from Previous Meeting:

#1 – Regarding Street Acceptances, Selectman Espinosa stated he must recuse himself from discussions involving Goldenrod as he lives in the area. Selectman Trindade volunteered to replace him in this matter.

#2- Route 109 project – Selectman Espinosa stated the committee will be meeting again on August 31.

#3- American Legion Building – Selectman Trindade will continue the discussion with American Legion.

#4 – Storm Water Resource Management Plan – Ms. Kennedy stated the project is ready to move forward pending notification of loan approval. She noted it does not require immediate action. Tom Holder, Director, Department of Public Services, is working on developing a regional approach for regional solutions.

#5 – Economic Development Initiatives – Ms. Kennedy stated the Economic Development Committee may want to have a joint meeting with the Board of Selectmen in the next four to six months to look at future opportunities to build up the tax base.

#6 – Town website – Virtual Town Hall – Ms. Kennedy stated an initial meeting with interested staff focused on what things would look like. Suggestions were offered and the consultant will come back with a mockup design.

#7 – Bylaw change to allow alcohol on Town owned property is on tonight's agenda.

Selectman Crowley noted that Fall Town Meeting is only eleven weeks away, and he would like to revisit the issue of the purchase of an ambulance. Ms. Kennedy stated she is already working on it, and will add it to the list of Action Items.

Update on Highland Street – Route 109 Design Committee:

Mr. D'Amico reported to the Board that the Department of Public Services will be doing a "test case" to designate Highland Street going north as a one-way to see how it works. Informational signs will be put up for a couple of weeks before it is implemented. The schools have been notified.

Additionally, traffic from Bellingham is being rerouted off Route 126 while a culvert is being repaired. The repair project will begin in September, and should be completed by mid- to late October.

Discussion – Proposed Bylaw Amendment – Article XII, Section 12.13, Prohibition of Alcohol on Public Property:

The Board reviewed an email from Town Counsel with proposed language amendment to the existing bylaw prohibiting alcohol on public property, with the amendment designed to allow alcohol on Town property at 2B Oak Street only.

Present: Police Chief Allen Tingley.

It was noted that this was a suggestion connected with the Medway 300 celebration being planned for next year. The Thayer property could also be used for small events, wedding, retirement dinners, etc., once appropriate measures are approved to allow alcoholic beverages.

Ms. Kennedy stated that if the Board wanted to move forward with this matter, it would go on the warrant for Town Meeting vote. She suggested that a public hearing might be a good idea.

Selectman Crowley expressed concern that the “Thayer property” be more clearly identified. Selectman Trindade suggested other places that might be also considered as venues for small events. Selectman Crowley suggested testing the process with one property first, as others can always be designated at a later date. As is the current practice, applications for one-day liquor licenses would have to be considered and granted for each event.

Chairman Dunne asked that this matter be added to the Action Items, specifying the geographic boundaries of the property is in question.

It was agreed that it is the Board’s intent is to move forward with this at Fall Town Meeting, noting there needs to be education and communication to the community on why it’s being proposed.

Dog Hearing – Jones:

Present: Brenda Hamelin, Animal Control Officer; Laurie Jones, 10 E Broad Street (dog owner), Police Chief Allen Tingley

The Board reviewed the following information: (1) Procedure for dog hearing; (2) Notice of Selectmen’s Hearing, dated August 2, 2011; (3) Neighborhood resident statement; and (4) a timeline of events (beginnin Fall 2007) and supporting documentation submitted by the Animal Control Officer.

At 8:00 PM Chairman Dunne reconvened the Jones Dog Hearing, continued from July 18, 2011, by reading the Notice of Selectmen’s Hearing, dated August 2, 2011.

Chairman Dunne asked which individuals planned to speak during the hearing, and swore them in to testify truthfully.

Ms. Brenda Hamelin, Animal Control Officer, briefly reviewed Clyde's behavior, difficult even before Ms. Jones moved to Medway. At that time, the dog was living with her son, Stephen Hayes in the residence which is located directly across Village Street from Town Hall. Dogs were often seen running around the parking lot before Ms. Laurie Jones was responsible for the dogs, and Clyde was never licensed. Jumping forward to this year, Ms. Hamelin recited recent incidents involving Clyde. Most recently he attacked a dog on a leash, reported by Mr. Matthew Reardon. She read the police incident report. The dog was sent home on a temporary restraining order until the hearing. The dog had to be vaccinated for rabies, licensed (yet to be done), chained or leashed, muzzled when tethered, never to be tethered without adult supervision. Ms. Hamelin gave a citation for violation of the leash law, in addition to fines for the lack of rabies vaccination and lack of license.

Ms. Jones that no bite occurred in the incident, noting because her dog has not been neutered, he goes after females. Her dog has never bitten a person or another dog. She says she has the money to pay for fines, but wanted to have the hearing first. Ms. Hamelin stated Clyde has chased people down the street.

Selectman Foresto stated the real issue is that the dog has not been licensed or vaccinated. Selectman Crowley asked Ms. Jones why she ignores the leash law as she has not licensed the dog for years. Ms. Jones responded that she has seen other dogs in the area not on leashes.

A man identifying himself as Ms. Jones' nephew stated the dog is very friendly, adding that he has two children who have never been hurt.

Selectman Foresto asked Ms. Hamelin if she explained the consequences to Ms. Jones. Ms. Hamelin responded she had, specifying that the dog could be placed on a permanent restraining order or taken away. Due to the age of the dog, he might be difficult to place.

Selectman Trindade suggested licensing the dog, so if he gets out, he can be returned to the home safely. Additionally, he wondered why a grandchild is opening the front door without adult supervision. Ms. Jones stated that since she got a screen door, the dog has not gotten out. Ms. Hamelin stated no other escapes have been reported.

Ms. Kerry Otto, identifying herself as Ms. Jones' daughter, stated her dog does not live there, only accompanies her when she visits.

Selectman Espinosa stated the issue is not always about the dog, but that the responsibility falls to the dog owner. It is the job of the owner to follow the laws. It is like having a child and protecting that child. He asked Ms. Jones for assurance that there will be no further incidents. Ms. Jones said she would come to Town Hall the following day to pay the fines.

Responding to a question from the Board, Ms. Hamelin stated her recommendation is a permanent restraining order, use of both a leash and a muzzle when outside the house.

Chairman Dunne asked Ms. Jones if she can maintain the restrictions imposed by the previous temporary restraining order. Ms. Jones responded she would.

Selectman Crowley stated other residents who have had these orders imposed have produced no further incidents, and the Board needs to have faith that she will follow through. Ms. Jones stated her son is the dog's actual owner, and she will see if the son can take the dog in at his residence in North Carolina. Her daughter will soon be traveling there and can take the dog with her.

Chairman Dunne moved that the Board accept a permanent restraining order with five conditions, and by noon tomorrow (August 16), that the dog fines be paid and dog licensed; Selectman Trindade seconded. Selectman Crowley proposed a friendly amendment that a written record be made that the conditions are accepted. All ayes, 5-0. The Police Department will deliver the letter and obtain written acceptance.

Dog Hearing – Briggs:

Present: Brenda Hamelin, Animal Control Officer; Andrew Briggs, 38 Winthrop Street (dog owner)

The Board reviewed the following information: (1) Procedure for dog hearing; (2) Notice of Selectmen's Hearing, dated August 2, 2011; and (3) a timeline of events (beginning in July 2006) and supporting documentation submitted by the Animal Control Officer.

At 8:30 PM Chairman Dunne convened a Dog Hearing by reading the Notice of Selectmen's Hearing, dated August 2, 2011.

Chairman Dunne asked those individuals planning to speak to solemnly swear or affirm that their testimony will be truthful.

Ms. Brenda Hamelin, Animal Control Officer, stated there have been issues with the Briggs dogs as soon as he got them. She reviewed several incidents involving violations of leash law and absence of vaccinations, as well as resident complaints. An additional incident occurred on August 30, 2008, violation of leash law for Kylie, and Mr. Briggs was fined.

Ms. Hamelin read aloud email from Karen Castle. Mr. Briggs stated the third dog mentioned in the email no longer lives in Medway.

Mr. Briggs stated he would have liked to have more time, having received the notice on August 2, and his family just returned from vacation last night. He acknowledged he needs to do a better job of keeping them in the yard, but stated he lets them out in the morning. He asked for a copy of all the paperwork. Chairman Dunne asked if they were "working dogs" as it is a farm, to which Mr. Briggs replied the dogs were simply for security. If someone comes onto the property, they bark and let him know.

Selectman Trindade stated he has two dogs, and wondered why Mr. Briggs does not take better care of the dogs as they are getting injured. Mr. Briggs replied that he had a 5-foot fence and they dug under it.

Selectman Trindade urged diligence in keeping them contained. Mr. Briggs said the farm's office is in the house too, and sometimes the door does not get closed tightly.

Ms. Hamelin recommended a permanent restraining order, tethering the dogs close to the house.

Selectman Crowley noted there have been a total of eleven complaints -- four times cited for rabies, and seven times for leash law. Additionally, there have been four incidents of non-licensure.

Mr. Briggs stated dogs are 8 years old and reluctantly added that he will just have to tether them.

Selectman Espinosa emphasized that the dogs need to be confined to the property and not chase people going by. He asked Mr. Briggs for assurance that he will keep them confined. Mr. Briggs responded that he would look into putting up another fence.

Ms. Hamelin recommended a permanent restraining order, specifically kennel, tether, electric fence, or by whatever means it takes to keep the dogs on the property. If a permanent restraining order is imposed, and dogs get out, she will have to pick them up. If dogs bite someone, she will pick them up and have them destroyed. Dogs must be leashed to go off the property for any reason.

Selectman Trindade moved the Board accept the recommendation of the Animal Control Officer; Selectman Foresto seconded. No further discussion. All ayes, 5-0.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant #12-7, dated 8/18/11, submitted for approval:

12-7P	Gross Payroll Town	\$235,628.39
12-7SP	Gross Payroll School	\$134,301.82
11-E3SP	Gross Payroll School	\$342,739.10
Total		\$712,669.31

Selectman Trindade moved that the Board approve Warrant #12-7 in the amount of \$712,669.31; Selectman Espinosa seconded. No discussion. All ayes, 5-0

Town Administrator's Report:

Ms. Kennedy stated she has received notification from the Secretary of the Department of Veterans' Services that Medway's newly formed Veterans' District has been approved. The district will be comprised of the communities of Holliston, Hopkinton, Ashland and Medway. The Town of Westborough may possibly join. Ms. Kennedy stated she can actively begin recruiting for a full time agent, noting that the assignment for the current temporary agent will soon run out.

Regarding the Highland Street Water Tank, the Department of Public Services may schedule a public relations program for sometime in the fall.

Ms. Kennedy reported that a property on Village Street that had looked like a trash dump has been cleaned up, and today it was significantly improved.

Selectmen's Report:

The Board confirmed the Selectman Liaison Assignments.

Selectmen Espinosa and Trindade had no report.

Selectman Foresto reported the Medway Cable Access Committee is appointing an access manager for Town government, 20-hours week, who will come to every meeting and be a "go to" person.

Selectman Crowley asked that articles deferred from recent Town Meetings is added to Action Items.

Chairman Dunne announced that tomorrow evening will be a joint meeting with Library Board of Trustees, focusing on strategic planning. Based on ballot vote on the non-binding question at Town Meeting, the regionalization issue will be explored further.

Selectman Crowley announced on Friday, August 26, the U.S. Air Force Jazz Band will perform a concert at Choate Park.

Approval of Minutes:

The Board reviewed draft minutes of public sessions held on March 31, 2011; April 19, 2011; April 25, 2011; May 9, 2011; and June 20, 2011.

Selectman Trindade moved the Board approve the draft minutes of March 31, 2011, as amended; Selectman Foresto seconded. No further discussion. All ayes, 5-0.

Selectman Trindade moved the Board approve the draft minutes of April 19, 2011, as amended; Selectman Espinosa seconded. No further discussion. All ayes, 5-0.

Selectman Trindade moved the Board approve the draft minutes of April 25, 2011, as drafted; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Selectman Trindade moved the Board approve the draft minutes of May 9, 2011, as drafted; Chairman Dunne seconded. No discussion. All ayes, 5-0.

The draft minutes of June 20, 2011 will be reviewed at another meeting.

At 8:55 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary

**Board of Selectmen's Meeting
September 12, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Richard Dunne, Selectman Andrew Espinosa, Selectman Glenn Trindade, and Town Administrator Suzanne Kennedy. Selectman John Foresto and Selectman Dennis Crowley were absent.

Also Present: Barbara Saint André, Town Counsel; Missy Dziczek, Director, Council on Aging; Tom Holder, Director, Department of Public Services; Susy Affleck-Childs, Director, Planning and Economic Development

At 7:01 PM Chairman Dunne called the meeting to order and led the Board in the Pledge of Allegiance.

Action Items from Previous Meeting:

Due to the absence of two Board members, Action Items will be considered at the next meeting.

Approval – Intermunicipal Agreement with Town of Franklin for Shared Nursing Services:

The Board reviewed an Intermunicipal Agreement Between the Towns of Franklin and Medway for Shared Nursing Services.

Ms. Missy Dziczek, Director, Council on Aging, stated this particular agreement will allow for some evidence-based programs targeting the prevention of falls, the primary reason seniors end up in nursing homes. She added that the cost of the programs will be covered with grant funds, as well as a grant from the Office of Elder Affairs.

Selectman Trindade moved that the Board approve the Intermunicipal Agreement between the Towns of Franklin and Medway for Shared Nursing Services related to the Council on Aging in an amount not to exceed \$5,500; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Town Administrator Suzanne Kennedy stated she has received information about another grant opportunity that she will forward to Ms. Dziczek.

Responding to a question from Chairman Dunne, Ms. Dziczek stated things are going well at the Senior Center, and announced that breakfast service was starting up again this week.

School Committee Liaison Report:

No report.

Executive Session:

At 7:07 PM Chairman Dunne moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body (Exemption): (1) Sewer Easement Litigation – Medway Trotter; and (2) MGL Chapter 93A Demand by Town of Medway – Middlesex Savings Bank; and to return to public session in approximately ten minutes; Selectman Trindade seconded. Roll call vote: 3-0. Selectman Trindade, aye; Selectman Espinosa, aye; Chairman Dunne, aye.

At 7:14 Chairman Dunne reconvened the public session.

Public Comments: None.

Approval – Reappointment to Affordable Housing Committee – Teresa O’Brien:

The Board reviewed a letter of interest from Ms. Teresa O’Brien, 32 Wellington Street, dated August 8, 2011.

Selectman Trindade moved that the board approve the re-appointment of Teresa O’Brien to the Affordable Housing Committee for a term of two years to expire June 30, 2013; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Vote – Easement Takings for portions of Ivy and Hunter Lanes:

The Board reviewed the following information: (1) Order of Taking; (2) Sample letter to abutters, dated August 16, 2011; (3) Eminent Domain Release; (4) Email from Allison Potter dated August 16, 2011 listing affected property owners; and (5) Site Map included as Warrant Article 23 at 2011 Annual Town Meeting held on June 13, 2011.

Present: Barbara Saint André, Town Counsel; Susy Affleck-Childs, Director, Planning and Economic Development

Ms. Barbara Saint André, Town Counsel, reminded the Board that Town Meeting vote was to accept these portions. She stated the title work has been done, the Order of Taking has been prepared, neighbors have been notified and it is now time for the Board to adopt the Order of Taking. She

emphasized that as the neighbors have agreed to the action, it is considered a “friendly” Order of Taking, consisting of an easement of the street as well as easements regarding drainage. The Town will have 30 days to record it at the Registry of Deeds. Ms. Saint André stated she will send a second letter to the neighbors, one in which they will sign off to release the Town from any damage involved in this project. She reminded the Board that after recording the Town owns those streets and will be responsible for all repairs, plowing, etc. Brief discussion followed.

Selectman Trindade moved that the Board of Selectmen adopt the following order and authorize the Chairman to sign all notices and offers required in connection herewith: Ordered that acting through and under the authority of the vote of the Town at the Annual Town Meeting held on June 13, 2011, and pursuant to the provisions of General Laws chapter 79 and General Laws chapter 82, as amended, and of any and every power and authority granted to it, express or implied, the Town of Medway, acting through its Board of Selectmen, has adjudged that common convenience and necessity require the town ways be located and laid out to be known as Hunter Lane and Ivy Lane, and therefore takes for itself certain permanent easements for the purpose of laying out Hunter Lane and Ivy Lane as public ways as set forth in the Order of Taking appended to this Order, including appurtenant slope, drainage, snow, access, future roadway and maintenance easements, which Order of Taking is hereby adopted by the Board of Selectmen, and further that the Board determines that no person has sustained damage by reason of this taking; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Vote – Intent to Lay out Iarussi Way/Evergreen Meadow Subdivision as a Public Way:

The Board reviewed the following information: (1) Memorandum from Susy Affleck-Childs, Director, Planning and Economic Development, dated August 11, 2011; and (2) Medway Assessors Atlas Map No. 5-3.

Ms. Susy Affleck-Childs, Director, Planning and Economic Development, reported that the developer has done everything he needed to do in a timely fashion, and she would like to start the layout process for the roadway. After the Selectmen begin the process, the matter will go to the Planning Board. She stated that ultimately she would like to have it come before the residents at the Fall Town Meeting. Chairman Dunne clarified that the Board typically handles financial matters at the fall meetings and other matters in the spring. Ms. Affleck-Childs respectfully disagreed, stating that something like a street acceptance could be done as soon as it has been completed. Brief discussion followed.

Selectman Trindade moved that the Board express its intent to lay out as a public way Iarussi Way in its entirety from Station 0+00 to its end at Station 9+57.36 and refer this matter to the Planning and Economic Development Board for a report and recommendation; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Approval – Support of SWAP’s application to MAPC for funding from Sustainable Communities program for Greater SWAP Region Public Transit Feasibility Study:

The Board was in receipt of a memorandum from Ms. Susy Affleck-Childs, Director, Planning and Economic Development.

Ms. Susy Affleck-Childs, Director, Planning and Economic Development, stated the purpose of this funding would assist in exploring the public transit options in this area. Such exploration would evaluate what presently exists, determine the needs of the area and formulate a plan of available options.

Selectman Trindade moved that the Board vote to support SWAP’s Application to the MAPC for funding from the Sustainable Communities Program for the Greater SWAP Region Public Transit Feasibility Study; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Authorization of Chairman to Execute Contract for Village Street drainage project – Oliveira Construction, Inc.:

The Board reviewed a contract between the Town and Oliveira Construction, dated September 6, 2011.

Mr. Tom Holder, Director, Department of Public Services, stated the design of the drainage project has been completed. The construction of the project was awarded to the low bidder (Oliveira Construction, Inc.), all the appropriate checks were performed, and the Board now has the contract for its approval. He noted that the contract has been reviewed and approved by Town Counsel. Mr. Holder stated this work includes new catch basins and pipe work which will connect to the existing system.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Oliveira Construction Inc. in an amount not to exceed \$56,400 for the Village Street drainage project; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Discussion – Miscellaneous Department of Public Services Matters:

Responding to a question from the Chairman about the Highland Street Water Tank, Mr. Holder stated the tank is up and running, and drawing water. The old tank has been demolished. He added that the department is doing some site work associated with the project, such as plantings, and anticipates a grand opening in October. He suggested that October 25 might be an appropriate day as it is the anniversary of the Town. The Board agreed that October 25 would be an excellent date for the opening.

Town Administrator Suzanne Kennedy asked about the impact of increased traffic from Bellingham. Mr. Holder stated the traffic has been rerouted, as both eastbound lanes have been closed. The first six days of the planned detour were problematic, coupled with the repercussions from Hurricane Irene, so it was difficult. Highland Street was back to being two-way while clearing streets, then they decided the planned detour was not good. On September 9, the detour was reorganized, opening West Street to

two-way, establishing police details, and updating sign boards, all of which contributed to a significant improvement in traffic flow. As this is a project that can run 6 – 8 weeks, it could be November before Route 126 is open on both sides. Mr. Holder acknowledged that the department is also getting caught up with all work associated with Hurricane Irene.

Ms. Kennedy announced there will be a public hearing with the utilities to discuss a perceived lack of response with regard to Hurricane Irene. More information will be forthcoming.

Selectman Trindade stated that every available person was out to help (police, fire, etc.) with storm assistance. If trees were not moved, it was because they were tangled with live wires. Those had to be left for the power company to address. He complimented the Department of Public Services for their work. Selectman Espinosa acknowledged that this was also an opportunity to review how things are handled in an emergency situation and note the Town's preparedness.

Authorization of the Chairman to Execute MetroWest Veterans' Services District Bylaws and Agreement for Veterans' District and Apportionment of Expenses:

The Board reviewed the following information: (1) MetroWest Veterans' Services District Bylaws; (2) Agreement by and among the Towns of Ashland, Holliston, Hopkinton and Medway for Veterans' District and Apportionment of Expenses; and (4) Opinion of Peter Mello of Petrini & Associates.

Ms. Kennedy briefly reviewed the agreement between Medway, Hopkinton, Ashland, and Holliston, which included bylaws and a proposed budget. She stated that Town Counsel has offered the opinion that district membership is comprised of the board chairmen, but discussed with Chairman Dunne that the Town Administrator be appointed the designee for the group. If the Board is agreeable to this change, the agreement will be adjusted. The Board had no objection.

Selectman Trindade moved that the Board authorize the Chairman to execute the MetroWest Veterans' Services District Bylaws and Agreement By and Among the Towns of Ashland, Holliston, Hopkinton and Medway for Veterans' District and Apportionment of Expenses; Chairman Dunne seconded. No discussion. All ayes, 3-0.

Vote – Nomination of Richard Dunne to MPO SWAP Sub-Region Seat:

The Board reviewed the following information: (1) Nomination paper for Richard Dunne; and (2) Official Notice – 2011 Boston Region MPO Municipal Election Procedures.

Town Administrator Kennedy briefly explained changes within the MPO to increase representation from smaller communities to help balance out the representation from larger communities. Now Medway has an opportunity to have a representative in the MPO, rather than just the South West Advisory Planning Board (SWAP). There is an election process, and other individuals are competing for this sub-

region seat. When the full Board of Selectmen is available, they will discuss an alternate. Ms. Kennedy stated that 101 communities participate in the group with 22 seats “at the table”.

Selectman Trindade moved that the Board vote to support the nomination of Richard Dunne to fill the SWAP Sub-Region seat on the MPO; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Vote – Nomination of Setti Warren (Newton) to MPO At-Large City Seat:

The Board was in receipt of nomination papers for Setti Warren.

Ms. Kennedy stated Medway has been asked by the City of Newton to support Setti Warren in this matter. Mr. Warren is the mayor of Newton.

Selectman Trindade moved that the Board authorize the chair to support the nomination of Setti Warren to fill an At-Large City Seat on the Boston Region MPO; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Vote – Nomination of Maurice Handel (Needham) to MPO At-Large Town Seat:

The Board reviewed a letter, dated August 18, 2011, from Kate Fitzpatrick, Town Manager, Needham, supporting the nomination of Maurice Handel.

Ms. Kennedy stated this letter was the only letter received regarding the At-Large Town Seat. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chair to support the nomination of Maurice Handel to fill the At-Large Town Seat for the Three Rivers Sub-Region on the MPO; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Discussion – Fall Town Meeting Schedule:

The Board reviewed a Draft Fall Town Meeting Schedule.

The Board briefly discussed the Fall Town Meeting Schedule, noting specific dates and events. Town Administrator Kennedy reminded the Board that after its approval, the calendar goes to the Finance Committee for review. It is anticipated that the Finance Committee’s Public Hearing will occur the week of November 1.

Chairman Dunne moved that the Fall Town Meeting Warrant be opened as of September 12, 2011; Selectman Trindade seconded. No discussion. All ayes, 3-0.

Selectman Trindade moved that the Board approve the Fall Town Meeting Schedule with the update that the Town Meeting Warrant has been opened; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Approval of Warrants:

In the absence of Selectman Crowley, Clerk, Selectman Trindade read aloud the two warrants submitted for approval for a total expense of \$1,435,715.02:

12-10	Town Bills	\$303,299.87
12-10S	School Bills	\$198,963.30
12-11	Gross – Payroll Town	\$239,422.56
12-11S	Gross – Payroll School	\$694,029.29
TOTAL		\$1,435,715.02

Selectman Trindade moved the Board approve Warrants 12-10 and 12-11 as read for a total amount of \$1,435,715.02; Chairman Dunne seconded. No discussion. All ayes, 3-0.

Use of electronic signatures:

Chairman Dunne suggested it would be helpful to have electronic signatures for members of the Board so that business can be conducted in a member's absence or inability to get to Town Hall when documents need to be signed. An email would be sent asking permission to use the signature, and reply to the email would authorize usage of the electronic signature. Brief discussion followed.

Town Administrator's Report:

Ms. Kennedy announced there will be a legislative breakfast meeting hosted by the South West Advisory Planning Committee (SWAP) on September 16th and stated she and Chairman Dunne will be attending.

Referring to current legislative discussions regarding the entrée of casino gambling in Massachusetts (Milford area being Medway's concern), Ms. Kennedy stated she attended a recent meeting, noting that the prevailing thoughts consist of three choices: oppose the casino, scuttle the Milford location, or if Milford is selected, seek various protections for the community. Three regions have been identified as potential locations, the most likely being Suffolk County. She asked the Board if they wished to write a letter asking to be present when discussions are held with the potential developer and the Gaming

Commission. Ms. Kennedy stated Representative Dykema said that there have been no studies done on the local impact of a casino, i.e., increased traffic, consumption of resources, etc. Chairman Dunne suggested drafting a letter, but clarified that this matter needs the discussion of the full Board. Ms. Kennedy pointed out that the final legislative decision may be made this week and stated she would like to get some kind of letter out ASAP. Discussion followed. The Board agreed that the Town Administrator should draft a letter asking for participation in discussions with the Gaming Commission.

Selectmen's Reports:

Selectman Trindade – No report.

Selectman Espinosa stated that, on September 22, he will be attending a meeting of the Metropolitan Planning Office (MPO) on behalf of the Route 109 Design Committee with the hope of getting the project on the long term planning list. He stated the temporary designation of Highland Street a one-way occurred during Hurricane Irene, and proved to be less than desirable under extreme conditions. However, the experiment gave insight into related situations that may be useful in considering the project's design. He concluded his report by stating that the meeting featuring the 25% design point will occur sometime in the next couple of months.

Chairman Dunne briefly reviewed the August 16 joint meeting of the Board of Selectmen and the Library Board of Trustees. He indicated he is committed to having another meeting soon to continue the strategic planning discussion for the library. The meeting was open to the public; he will keep everyone informed with updates.

Approval of Minutes:

Due to the absence of Selectman Crowley and Selectman Foresto, the minutes for public sessions held on May 16, 2011 and June 20, 2011 will be considered at another meeting.

At 8:00 PM, Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. All ayes, 3-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary