

Board of Selectmen's Meeting Minutes

February 21, 2012, 6:30 p.m.

Senior Center, 76 Oakland Street

Present: Chairman John Foresto; Selectmen Glenn Trindade, Andrew Espinosa, and Dennis Crowley; and Town Administrator Suzanne Kennedy.

The meeting was called to order at 6:35 p.m.

Selectman Trindade moved that the Board go into Executive Session under Exemption 6 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, with the intent to return to public session; Selectman Espinosa second; Town Counsel Barbara Saint Andre recommended that they also include Exemption 3 which is to discuss strategy with respect to litigation if the Chair declares that an open meeting may have a detrimental effect on the litigating position of the public body; All ayes 4-0.

Public comment: None

Authorization to Expend 911 Grant Funds:

Police Chief Allen Tingley explained that the police department has received this grant annually but that it is not guaranteed and the department is not dependent upon it. The money will be used for communication center upgrades including electrical, lighting and furniture, as well as training.

Selectman Trindade moved that the Board authorize the expenditure of the 911 grant funds in the amount of \$30,194; Selectman Espinosa second; Selectman Crowley requested that a small portion of the grant be used for community policing; All ayes 4-0.

Approval of 2nd Annual Medway Turkey Trot:

Police Chief Allen Tingley said that last year's event was a huge success with about 650 participants and they are hoping to get 1,000 participants this year. The proceeds go towards equipment purchases for the Town's athletic teams. This year's race will take place prior to the Medway/Millis football game on Thanksgiving morning. The Board approved the request for the coming year and plans to discuss any issues that arise from holding the event prior to the football game with Chief Tingley before they approve this as an annual event.

Selectman Trindade moved that the Board approve the request to host the 2nd annual Turkey Trot on November 22, 2012 with the condition that two detail officers be hired by the organization to manage the safety of the runners and flow of traffic during the race; Selectman Espinosa second; No discussion; All ayes 4-0.

Closing of Annual Town Meeting Warrant:

Administrator Kennedy reported that there is an outstanding IT bill in the amount of \$37.24 that needs to be included in the 2012 Special Town Meeting warrant. She provided the Board with a draft article for their review.

Selectman Crowley moved that the Board include the article as presented by the IT department in the amount of \$37.24; Selectman Trindade second; No discussion; All ayes 4-0.

The Board discussed the possibility that they may need to meet prior to the March 19, 2012 Board of Selectmen's meeting to deal with the Special Town Meeting warrant. They will transfer the budget to the Finance Committee by March 19, 2012, but may need a little more time before they transfer the warrant. The Board also discussed the large number of proposed Planning and Economic Development Board articles. They will review the summary that Administrator Kennedy requested from the Planning & Economic Development Board Coordinator. They discussed meeting with the Planning & Economic Development Board to see if any of the articles can wait until the Fall Town Meeting or next year's Annual Town Meeting.

Selectman Trindade moved that the Board close the 2012 Annual Town Meeting warrant; Selectman Crowley second; No discussion; All ayes 4-0.

Approval of Warrants:

Warrant 34 - 2/23/2012

Town Bills \$1,186,720.00

School Bills \$223,620.32

Total \$1,410,340.32

Selectman Trindade moved that the Board approve the warrant as read; Selectman Espinosa second; No discussion; All ayes 4-0.

Action Items:

- Street acceptance progress – The Board would like to confirm that the Meadows are included. Administrator Kennedy said Town Counsel is looking into the constitutionality of an expedited street acceptance process, which would be less costly for the Town.
- Route 109 project - Selectman Espinosa is meeting with the Route 109 Committee tomorrow and will provide the Board with an update at the next Selectmen's meeting. The Board would also like an update on the \$400,000 federal grant and when the Town can expect to receive it.
- Stormwater Resource Management plan - The Board would like this added to the DPS Project Status list. They would like to add DPS Director Tom Holder to a future agenda to discuss the allocation of the cost of this project, how this will affect the sewer enterprise fund, and to provide additional detail on the sewer degradation issue.
- Strategic planning session - The Board would like to schedule this for after the Town election so the new Board member can participate. Administrator Kennedy will find a consultant to facilitate the session. The Board raised several issues they would like to discuss including community preservation, open space, management of historical buildings in Medway, and economic development.
- Kearsarge proposal - Town Counsel is reviewing the pro forma contract and Administrator Kennedy expects to hear back from her in the next couple of weeks.
- Energy Committee configuration - Add approval of the revised configuration to the next agenda.

- Exploratory committee for DPS facility - The Selectmen will put this group together after they complete the FY13 budget.
- Village Street sidewalk reconstruction - The design is complete and DPS plans to begin construction this summer. The Board would like DPS Director Tom Holder to provide them with more information on this project when he comes in to discuss the Stormwater Resource Management plan.
- Sewer extension betterments - Administrator Kennedy said that this process is governed by a statute and is quite lengthy. She anticipates having final bills January 2013.
- Selectman Crowley asked that the following items be added to the action item list:
 - Report from Assessor on status of overlay account
 - Updated list of outstanding bonds from Treasurer/Collector
 - Provide the Board with the balance of the sewer legal account after the final claim is paid
 - Funds held in abeyance from High School construction project
 - Update on free cash items that were approved at last year's Annual Town Meeting and provide status on each
 - Report from DPS on which roads and sidewalks were improved with last fiscal year's capital funds and provide the account balance
 - Ask DPS to create list of community projects that Eagle Scouts could help with
 - Discuss whether the Community Farm can use the 4 acre parcel on Adams Street. Need to clarify whether the Board of Selectmen has the authority to give the approval and what was authorized in original RFP. Follow-up with Conservation Commission to make sure this is an allowable use.

FY13 Operating Budget Discussion:

The Board reviewed the FY13 operating budget and identified areas where they need further clarification. The Board asked Administrator Kennedy to review the budget and make sure the budgeted amounts are accurate. They want to make sure that there is not an unnecessary cushion built into the budgets.

The Board reviewed the following accounts with the Town Administrator and agreed that they have no further questions:

- Annual Town Report
- Assessor
- Capital Improvement Planning Committee
- Council on Aging
- Disability Commission
- Education - Other
- Energy Committee
- Finance Committee
- Finance Committee Reserve
- Health
- Historical Commission
- Human Resources
- Memorial Committee
- Sunshine

- Town Accountant
- Veterans Services
- Zoning Board of Appeals
- Legal

They had discussion on the following:

- Animal Control - There is a possibility that this may change. Administrator Kennedy is waiting to hear back from the Millis Town Administrator.
- Assessor's Department - \$6,000 was added to the budget for assessing software that was not budgeted for and for another software product that will allow the department to use the GIS more efficiently.
- Building Department - \$15,000 was added to the budget for the demolition of a building on West Street. The Board requested additional information on the building inspector's salary.
- Conservation Commission – The Board discussed the fact that only half of the amount budgeted has been spent. They wanted to make sure that residents' requests are being responded to in a timely manner. Administrator Kennedy said she is not aware of any complaints.
- Department of Public Services – The Board requested budget to actual for all enterprise revenue accounts.
- Health Department - \$1,200 was added to the budget for a sharps disposal program. The Board would like clarification about permits to keep farm animals and also which line item the sharps program should be added to.
- Town Administrator – Clarified that the part-time salary is for the night Board secretaries. Administrator Kennedy said she is going to recruit secretaries for the Open Space Committee and the Affordable Housing Authority.
- Town Clerk – The Board would like clarification on the \$6,300 for salary increases and line item 5730.
- Treasurer/Collector – The Board would like clarification on why there was an increase of \$13,800 for a part-time salary and a decrease of \$17,000 for another salary.

They Board will meet on Tuesday, February 28, 2012 at 6:00 p.m. to discuss the budgets for Fire, Police, Police/Fire Dispatch, Planning and Economic Development Board, Library, Human Resources and IT. They will also meet on Thursday, March 8, 2012 at 6:00 p.m. to discuss the DPS budget and enterprise accounts. The Board would like to review the enterprise account budgets for the last several years as well as the revenue collected to date.

Public Hearing for Supreme Pizza LLC Alcohol License:

Selectman Trindade moved that the Board open the Public Hearing at 8:03 p.m. on the application for an alcohol license by Supreme Pizza LLC; Selectman Espinosa second; No discussion; All ayes 4-0.

Owner John Spiliakos explained that he applied for a license last year but his attorney failed to file the required paperwork and the application was deemed incomplete by the Alcoholic Beverages Control Commission. Consequently, the license was forfeited. He retained a new

attorney and resubmitted his application. The Board confirmed that the Town has received all of the required paperwork including an abutter's list.

Selectman Trindade moved that the Board grant a wine and malt restaurant license to Supreme Pizza LLC at 67C Main Street and approve John Spiliakos as manager; Selectman Espinosa second; No discussion; All ayes 4-0.

Selectman Trindade moved that the Board close the Public Hearing; Selectman Espinosa second; No discussion; All ayes 4-0.

Town Administrator's Report:

Administrator Kennedy reported that the Town will be participating in a performance measurement program through the International City/County Management Association (ICMA). There are currently 200 communities around the country who are participating in this program. She also reported that the Town has decided to postpone its participation in a thermal imaging study through Sagewell. They still have some questions that they would like answered before they commit to the program. Administrator Kennedy said that she spoke with Medfield's Town Administrator and he said the program has been a huge success in Medfield.

Selectmen's Reports:

- Selectman Espinosa did not have a report.
- Selectman Crowley did not have a report.
- Selectman Trindade requested a proclamation for the Eagle Scout. He also requested a revised one page format for the DPS project list.
- Chairman Foresto reported that he had met with the schools to discuss the payback for the ESCO but that there needs to be further discussion on this matter. He also reported that he met with Bob O'Neill from Medway Cable and Medway's Director of IT Rich Boucher at the library to discuss setting up video broadcasting from several of the library's meeting spaces. The Board also discussed the need to discuss and create a long-term plan and vision for the library. They are waiting to receive the library's prioritized list.

At 8:40 p.m., Selectman Trindade moved to adjourn. Selectman Espinosa seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Michelle Reed

**Board of Selectmen's Meeting
February 28, 2012, 6:00 PM**

**Town Administrator's Conference Room, Town Hall
155 Village Street**

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

Also Present: Carol Pratt, Town Accountant; Sue Ellis, Director, Human Resources; Melanie Phillips, Finance Director; Allen Tingley, Police Chief; Paul Trufant, Fire Chief; Susy Affleck-Childs, Planning and Economic Development Coordinator; Rich Boucher, Director, Information Technology.

There being a quorum present, Chairman John Foresto called the meeting to order at 6:07 PM and led the group in the Pledge of Allegiance.

Public comment: None

FY2013 Budget Discussion:

The Board has been reviewing budget information from all Town Departments and meeting with departments as necessary.

Planning Department:

Present: Susy Affleck-Childs, Planning and Economic Development Coordinator.

Directing the Board's attention to line item 5002, Ms. Kennedy stated the change is for the economic development initiative that was discussed at the joint planning meeting. A full proposal for \$59,000 included a staff person. Discussion followed on use of the \$20,000 not for a person, but instead for assistance with marketing materials, website help, etc. so that Ms. Affleck-Childs could be more hands-on with economic development activities.

Selectman Crowley asked what the current market was for this type of consulting service. Ms. Kennedy stated she had previously calculated the approximate cost of part-time services. Ms. Affleck-Childs added that she has approach a couple of firms but has not discussed money as yet. Selectman Espinosa questioned the need for this amount. He suggested tabling it until the Board meets with the Planning and Economic Development Board. Ms. Affleck-Childs responded that they felt the original proposal was an attempt to get some positive steps forward, adding that they would be happy to meet with the Selectmen. She offered to prepare a proposal specifically defining what they could do with the \$20,000.

Referring to the Planning Board full time salary figure, Selectman Crowley asked about the step increase and rate. Ms. Carol Pratt, Town Accountant, reported that the retroactive amounts for FY11 are included in the FY12 budget.

Considering line item 5383 Contract Services, the Board wanted to know why the budgeted amount jumped from \$6,000 to \$10,000 when only \$600 was used this year. Ms. Kennedy responded that figure covers the Design Review Committee, Open Space Committee, and the Planning Board, adding that \$1,300 was spent in that line item. Those funds are targeted for graphic illustrations in Design Review guidelines, work with the Open Space Committee on a brochure, for an engineering firm to pay for work they've done, and a workshop. There are also things coming up in fourth quarter FY12. Chairman Foresto stated he would like to keep this item open for a while.

Information Services Department:

Present: Rich Boucher, Director, Information Technology.

Chairman Foresto asked for a description of Novatime. Mr. Boucher responded that it is a time management system for the Department of Public Services. During Phase 2, all of Town Hall will be included in a web-based time clock system, recording time and attendance. Ms. Phillips stated that DPS staff punches in, the system creates the report, and her office will import it into the payroll system. Ms. Kennedy stated she hopes to get all departments onto the system so that the payroll can be downloaded easily. Ms. Ellis expressed concern that it could be a delicate union issue with the Police Department.

On a related topic, Mr. Boucher mentioned PeopleGIS offers a fairly robust system for creating a DPS ticketing system. The program is currently under development within the GIS family of products, and the Town already pays a fee to GIS. Ms. Kennedy stated she thought the Town was considering a program called School Dude for such an application. Mr. Boucher responded that was the first he had heard of that proposal. Selectman Espinosa asked if PeopleGIS would be more municipally compatible as School Dude is geared toward schools. Mr. Boucher indicated the Town would not have to pay for School Dude as it is already paying for it under the school umbrella.

Selectman Espinosa acknowledged that buying computers is easy, but that maintenance, staff and upgrades are a different thing. With 25 servers, over 1,000 desktop computers and only three people to handle it all, he asked if Mr. Boucher had considered outsourcing some tasks. Mr. Boucher responded that he considered adding a position for desktop support this year, but opted instead to use those funds for some other things. Part of the capital request is to automate a lot of desktop components, disaster recovery and other functions. Similarly, part of the virtualization plan is to help automate some things. Discussion followed.

Mr. Boucher emphasized that the IT Department will need another desktop support person. Once staff members are given more kinds of software, they need to be trained on how to use it and keep it running. If another person is out of the question for this year, he would definitely like one for next year. Chairman Foresto supported Mr. Boucher's intention, noting that the industry standard for the ratio between desktops and technicians is 40 computers to one technician. Here it's much higher. Mr. Boucher noted that the school contains computer labs with multiple computers that can be upgraded as a unit. Responding to a question from Selectman Espinosa about outsourcing, he stated some things could be, but he has not considered it at that level yet.

Ms. Kennedy stated typically when a resource (staff person) is shared, that salary is shared by both entities. The Town is paying the lion's share of Mr. Boucher's salary, and she suggested that perhaps that should be shifted more to the school as they are getting more of his time and services. It seems

disproportionate. Chairman Foresto stated he was willing to bring this issue up at the next meeting with the Superintendent.

Mr. Boucher noted that Mr. Sean Peplinski's time is split 90% Town and 10% School, adding that he would like to see him use the IT staff at the school for more routine tasks, such as connecting printers.

Selectman Espinosa noted that people are making decisions on technology without considering the impact on the Town or the budget, and suggested a strategic overview. Ms. Kennedy stated a lot of Mr. Boucher's time is put toward implementing software at the schools. Discussion followed on town-wide systems, fiber optics, internet access, and the information loop. Ms. Melanie Phillips, Finance Director, theorized that everyone looks at making their individual offices and departments more efficient, independently of others. An operational overview might be useful.

Selectman Crowley asked Mr. Boucher for his thoughts on how he would use free cash. Mr. Boucher responded that he has submitted two warrant articles – one for the virtualization of servers, and the other for virtualization support, interactive equipment, and upgrade of desktops. Selectman Crowley wondered why computer replacement is not included in every annual budget so that the price tag is a little softer instead of a big hit once every five years. Mr. Boucher explained the virtualization project, noting it benefits both the Town and the schools. Server farms are at the high school and middle school due to their climate control abilities. The plan was developed two years ago, and he is updating the plan. He added that he is trying to get it to the Capital Improvement Planning Committee with revised numbers.

On another topic, Selectman Crowley wondered why white boards are being purchased out of Town funds (free cash) and not out of the school budget. Brief discussion followed. Selectman Crowley asked Mr. Boucher to ask Mr. Verdolino if the computer expense of \$400,000 was included in reports sent to DESE.

Regarding salaries, it was noted that the \$157,000 does include retroactive adjustments. Ms. Kennedy noted a network engineer got a step increase at six months. Similar positions in other towns are \$20,000 higher.

Mr. Boucher suggested transitioning maintenance costs to an operating budget for technology, noting that replacement of technology equipment is more operational than a capital expense as it occurs every year.

Police Department and Police/Fire Communications Department:

Present: Allen Tingley, Police Chief.

Regarding heat and electricity, the Board noticed that three-fourths of the year has passed but not much of those funds have been used. Chief Tingley stated he is hesitant to move some of those funds for those other things as the winter is not over yet. Ms. Kennedy stated those figures would be revisited at the end of March.

The holiday day budget of \$58,000 is already gone, yet next year's budget request is only \$59,000.

The increase in the Firearms allotment is due to costs incurred to certify people, not to purchase new weapons.

Regarding the request for a police vehicle, Chief Tingley stated two were requested last year and the department received one. Selectman Crowley suggested that since this year the request is for three it made more sense to take the cost of two out of free cash so that the department could consistently get one each year going forward. Ms. Kennedy cautioned that she cannot always guarantee there will be adequate free cash each year. Chief Tingley clarified the department really needs two each year, and they rotate them at approximately 80,000 miles. At levels higher than that transmission problems and other issues come into play. Ms. Pratt clarified that vehicles cannot be a capital expenditure because the Town cannot depreciate it. Chief Tingley suggested it could be a line item each year once the number of vehicles is caught up. He stated he would revise the document, and return it to Ms. Kennedy.

Selectman Espinosa asked for justification for an additional officer outside of needing a lieutenant to investigate. Chief Tingley clarified he is seeking a detective, as calls for serving are increasing, as is the manpower on various investigations. This past month there have been several sexual assault cases, which take a lot of time and leg work investigating. To do that, an officer comes off the schedule, and then the pay comes out of overtime. Discussion followed on scheduling. There are house and car break-ins and, if the cost of gasoline goes very high, people will start stealing gas out of vehicle tanks. Chief Tingley continued, stating the added training is a huge part of it, specifically on computer theft, child pornography, and sexual assault, to name a few. Selectman Espinosa asked if this budget would be sufficient were it to be level funded next year. Chief Tingley said he would love three additional staff members but knows it cannot be done right now.

Chief Tingley stated his request for a detective was included in the impact statement, but not in the actual budget. Chairman Foresto asked about the specific costs of hiring a detective. Chief Tingley clarified that he would hire a new officer, a regular patrolman, and promote someone from the ranks to detective at a salary of roughly \$80,000. This would save approximately \$5,000 in overtime costs.

Chairman Foresto stated there are little pockets of money all across the budget that could be combined to create the money for a detective. School enrollment is dropping yet the school budget is not. They are adding positions. They should look at this seriously as it affects the entire town.

Selectman Crowley asked Chief Tingley to provide population figures as compared to the officers on staff during various years, expressing interest in seeing if there are trends on either side. The report should include crime rates, statistics, number of cases, time in court, etc. This will help the Selectmen defend any addition to the budget. Discussion followed. Chief Tingley stated there were 22 officers in 2004. He added that School Resource Officer duties take a lot out of the schedule too.

There was brief discussion on officers attending court. Sometimes the court cases are continued without notification coming to the department. Officers go to court only to find it isn't happening. This costs the department in shift coverage, and it is unclear how to resolve the problem.

Chairman Foresto asked about police details for the Medway 300 activities next year and whether some funds should be added to cover those details. Ms. Pratt stated money contributed from event sponsors should cover those costs. Chairman Foresto expressed concern that some events, such as fireworks, will attract people from other communities, and the impact is unknown. Selectman Crowley asked if auxiliary officers could donate their time; Ms. Kennedy stated that would create a huge problem with the union.

Regarding Police/Fire dispatch, it was noted the budgeted amount of \$6,472 was for police/fire communications training on a continuous basis. This particular line item reflects costs when they go out with the patrolmen, though a 911 grant covers the regular training

Ms. Kennedy asked Chief Tingley to have updated information to her within ten days as she would like to get the budget to the Finance Committee on March 19.

Fire Department:

Present: Paul Trufant, Fire Chief.

Chairman Foresto asked Chief Trufant to update the Board on the ladder truck. Chief Trufant explained that such as truck is priced at approximately \$860,000 on a state bid list. All fire trucks, ladder trucks, and rescue units are on a Commonwealth of Massachusetts bid list. Ms. Kennedy suggested the Board consider bonding the purchase as it is a large price tag to pay with cash. Ms. Melanie Phillips clarified that a bond would be no more than 10 years. Chief Trufant estimated the ladder truck's useful life to be 25 years. Chairman Foresto noted the Capital Improvement Planning Committee recommended bonding it. Ms. Kennedy stated the warrant article specifies \$900,000.

Responding to a question from Selectman Espinosa about the next vehicle that might be needed, Chief Trufant responded that would be a command vehicle which also might be on a bid list. This vehicle carries all the emergency supplies required by FEMA and MEMA, in case the chief is the first person on the scene. The vehicle is \$50,000, a good sized SUV that not only carries equipment but can be used off road as well.

Referring to the ambulance service, Selectman Crowley asked how the new billing process was working out. Chief Trufant replied it was working out well, as the staff is getting accustomed to the computers. Ms. Phillips noted that last year's revenue was \$315,000. To date, \$261,000 has been collected, and the collection figure could be up to around \$400,000 by the end of the year.

Chief Trufant reported that he would be retiring from the Fire Department on June 21.

Medway Public Library:

Selectman Espinosa expressed concern that every year they are funded at a certain level with the Board's anticipation of consolidating and strategically making the library a viable entity. He reminded the Board of last year's article to change the Charter, which was withdrawn prior to Annual Town Meeting; instead a nonbinding ballot question was posed. Chairman Foresto noted there is a broad range of options between leaving things as they are and changing the Charter.

Selectman Crowley stated he spoke with Ms. Carol Brown last night who indicated the Trustees were finalizing their submission to the Board, intimating there was a priority list.

Chairman Foresto expressed concern that the Board hasn't told the Trustees what framework to work with making the expectation of hearing something definitive from the Trustees somewhat unrealistic. Selectman Espinosa stated capital expenditures need to be reviewed. Perhaps they could free up money in the library budget to hire a director. Chairman Foresto emphasized that the Board owes them the courtesy of telling them what the Town's funding vision for the library is so they can develop their plans around that. Discussion followed.

A straw poll was conducted: Chairman Foresto does not support a full-time Director for next year. Selectman Espinosa agreed. Selectman Crowley suggested the Board needs to have a separate discussion about this.

Ms. Kennedy encouraged the Board to take time during the week of March 5 to review outstanding issues, as well as initial review of warrant articles that may be ready. Discussion followed.

Approval of Warrants:

Selectman Crowley, Clerk, read aloud Warrant 12-35, dated 3/1/12, submitted for approval:

12-35SP	Gross Payroll School	\$745,032.34
12-35P	Gross Payroll Town	\$205,451.28
	TOTAL	\$950,483.62

Selectman Espinosa moved that the Board approve the Warrant as read; Chairman Foresto seconded. No discussion. VOTE: 3-0-0.

Search Process – New Fire Chief:

RSelectman Espinosa asked about the process to hire a new chief. Ms. Kennedy replied that she hopes to hire someone to come on board effective July 1.

Selectman Espinosa mentioned there was a meeting several years ago where a job description and search process was determined for the position of Fire Chief, as well as general reorganization of the Fire Department. Ms. Sue Ellis, Human Resources Director, stated thus far 46 applications have come in. Discussion followed on developing the job description and criteria for the position, present staff vs. out-of-town applicants, etc. Ms. Ellis stated she did a comparative analysis of various kinds of communities that had openings in their Fire Departments, and looked over their job descriptions, required certifications, and other criteria. It was noted that this could be a good tool to use in the search/interview process.

Miscellaneous:

It was decided that the Board would review remaining budget sections such as Unclassified and Department of Public Services (including Enterprise) at the March 8 meeting, but hold off on the Library for the time being.

Ms. Kennedy reported that Mr. Bill Fisher, Health Agent, would be retiring on April 3, though she is trying to convince him to stay until the end of FY12 to conduct inspections.

Regarding funding for Animal Control, the recommendation was to budget \$6,800 more to cover extra duty on weekends. It was noted that Mr. Aspinwall has been spending additional funds for various expenses. Chairman Foresto requested justification, such as proof of those expenses, statistics on calls, etc.

Ms. Kennedy stated the Board will look at the fuel budget at the end of March when more heat and electricity data is available.

Ms. Kennedy suggested increasing the budget for the Sunshine group a little; it is presently level funded.

Referring to Norfolk Agricultural Technical High School, Ms. Kennedy stated the school's budget went down because enrollment went down. The Business Manager will give her an estimated enrollment number as of March 31.

Ms. Kennedy encouraged the Board to begin looking at the Annual Town Meeting Warrant during the week of March 19. Further, she recommended that the Claybrook article be omitted, at least for now.

Returning briefly to the earlier discussion of a police detective, Selectman Espinosa suggested that, if the Board can find half of that salary in the budget, perhaps the Town Administrator can find the other half. Chairman Foresto concurred, noting that \$20,000 could be put toward a detective instead of economic development. Discussion followed.

**At 8:50 PM Chairman Foresto moved to adjourn; Selectman Espinosa seconded. No discussion.
VOTE: 3-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
March 8, 2012, 6:00 PM
Town Administrator's Conference Room
155 Village Street**

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade (6:06 PM) and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant; Allen Tingley, Police Chief; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Tina Wright, Open Space Committee.

At 6:00 PM Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments:

At this time Mr. Bruce Hamblin approached the Board about the possibility of creating canoe launch points on two Town-owned properties, specifically, Village Street slightly west of Walker Street, and the other right below the amphitheater. He theorized that fishing might be allowed pending a determination by the Department of Fisheries and Wildlife. Brief discussion followed on construction and maintenance costs, use of Norfolk County Engineers, public access to the launches, and a site walk. Tina Wright, Open Space Committee, stated she would walk the site on Wednesday, March 28, at 6 PM and will work with Tom Holder on aspects of the proposal.

Executive Session:

At 6:08 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): Briggs Property; 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 6:23 PM Chairman Foresto reconvened the public session.

Deed Acceptances:

The Board reviewed the following information: (1) Deed for Iarussi Way, and (2) Deed for Evergreen Meadows Parcel A.

It was noted that all necessary procedures have been completed and that this deed has already been accepted by Town Meeting vote. This vote is to accept the deed, conveying the road, and will serve as a template for similar situations to follow.

Selectman Trindade moved to accept deed for Iarussi way as presented to the Board; Selectman Crowley seconded. No further discussion. VOTE: 4-0-0.

Selectman Trindade moved that the Board vote to accept the deed to Evergreen Meadow Subdivision “Parcel A” and “Open Space” as presented to the Board and that oversight of this land be granted to the Conservation Commission; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Chairman Foresto stated he would like to meet with all the boards and committees in Town in a “visioning” workshop. He believes it is the Board’s job to develop a strategic plan. After brief discussion, it was decided that he and Ms. Kennedy will spearhead the effort.

Authorization of Chairman to Execute Contract with Architectural Consulting Group, LLC for Owners Project Manager Services for Thayer Project -- \$80,460:

The Board reviewed a proposed contract, dated February 23, 2012.

Chairman Foresto clarified that this vote is approving the ability to spend money to advance to the next phase of the project. He added that the contract is written in such a way that no funds can be spent on design services without Town Meeting approval. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Architectural Consulting Group, LLC for owner’s project manager services for the Thayer project in an amount not to exceed \$80,460 conditioned upon approval as to form by Town Counsel and availability of funds by the Town Accountant; Selectman Crowley seconded. No further discussion. VOTE: 4-0-0.

Continued Discussion -- FY2013 Budget Discussion:

The Board has been reviewing budget information from all Town Departments and meeting with departments as necessary.

Police Department: Allen Tingley, Police Chief, distributed a history of departmental activity for years 2003-2011, a report categorized by type of crime, statistics, etc. Chief Tingley stated crime investigation is a big hit on manpower, pulling officers off street patrol for investigation tasks. A great deal of officer time is being spent appearing in court almost five days a week. He emphasized that an additional staff member would help spread out the duties without leaving the patrol staff shortchanged.

Chief Tingley also shared a listing of department staffing, the volume of calls for service, and the town’s population. Brief discussion followed. Selectman Espinosa asked for counts of various crimes that directly support the proposed additional position. Chairman Foresto recommended amending the handouts to include more identifiable information that would be easy for residents to understand, i.e., totals of particular crimes in a year.

The salary range for such a position is \$62,000 - \$78,000, including benefits. Chief Tingley stated it is often difficult to cover some shifts due to officers holding other jobs, parental responsibilities, or the way the union contract is written. Some officers would rather have the extra shift for overtime wages rather than switch shifts. Discussion followed.

The Board asked Ms. Kennedy to assist Chief Tingley to reorganize the information in a format that will be more meaningful to residents. The Board may meet at 7 AM on Monday, March 12, in order to wrap up the budget work.

Animal Control: There was a request to increase weekend hours for the Animal Control Officer. It is believed that, in the past four years, the officer may have personally borne the costs of weekend calls. Brief discussion followed.

Selectman Trindade moved to approve additional funding for the Animal Control Officer in an amount to be specified by the Town Administrator; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Department of Public Services: Tom Holder and David D'Amico were present for this discussion. A summary sheet for the department was included in the budget book. It featured historical comparisons on uses of general funds for all programs. It was noted that capital project funding helps to support salaries as they spread their time over those projects.

There has been an increase in leased space. An additional bay next to current space on Broad Street has become available and the department will use it to store equipment.

Mr. Holder explained that he wants to stagger revenues over the next couple of years in order to get into a routine. Responding to a question from Selectman Trindade, he confirmed there will be no new hires or promotions. Selectman Crowley expressed interest in seeing how various positions are budgeted.

Chairman Foresto noticed that the amount for Contracted Services is reduced. Mr. Holder responded those services are typically for electrical services or plumbing because current staff does not have the appropriate licenses. Mr. D'Amico clarified that small jobs can be funded out of their budget, but larger ones will have to go to the Capital Improvements Planning Committee, such as adding an extra line of electrical outlets because there are more computers.

It was noted that a new budget line was added for Rentals and Leases, figures that used to come out of Contracted Services. Some line items are higher than budgeted, others lower, and they need to balance out over time.

Selectman Espinosa asked why there was an \$8,000 increase in library custodial work. Mr. Holder stated last year this was moved from the library budget in order to keep their budget steady.

With regard to Snow and Ice, the Board questioned the \$60,000 amount for maintenance. Mr. Holder stated the staff has to repair and replace parts. Last year's winter was especially difficult on the equipment.

It was noted that costs for Hurricane Irene was charged to this budget, though the reimbursement should be coming in. Mr. Holder stated there is a lot of salt left over for next year, and anticipates the surplus to result in free cash. Discussion followed on things that could be funded out of that free cash.

Responding to a query on the nature of DPS Road Work, Mr. D'Amico stated \$80,000 is for drainage and catch basin cleaning contract work.

Referring to Parks Salaries, Mr. Holder explained there are seasonal workers, typically students, reflected in this line item. He said this labor is well worth the investment. With the Medway 300 celebration coming up, he suggested added salary for two more students, if possible. He indicated the

biggest challenge was getting the workers to the place they needed to be as they usually did not have driver's licenses or vehicles.

Selectman Trindade noticed that Field Maintenance and Capital Improvements divided salary costs. It was noted that the Parks Department makes the spending decisions, sometimes from revolving accounts. The \$30,000 amount reflects contracted supplies. Selectman Trindade asked for an accounting of how it is spent. Brief discussion on soccer fields followed, i.e., reserving space, permits, maintenance, etc.

Responding to a question from Selectman Crowley, Mr. Holder stated there is \$40,000 in the revolving account representing all sports. Mr. D'Amico will prepare a breakdown of those funds.

With regard to salaries, Selectman Crowley expressed concern that too much salary expense is pushed off onto enterprise accounts and not reflected in the actual budget. Mr. Holder stated some of the salary expense comes from the enterprise account as well as the general fund budget. He supported this position by stating staff time is spread over different projects, and their salaries are similarly attributed. Discussion followed.

The Board engaged in general discussion on DPS overtime, electricity and gas expenses, beeper coverage, and tree work. It was noted that the department is getting requests to do tree work on the open space areas as well as for conservation lands. The costs incurred to grind up tree debris from Hurricane Irene were included in the reimbursement expense submission. P45 DPS overtime is for the staff in the field. Chairman Foresto noted that much of the debris should be the responsibility of the homeowner.

It was noted that Contracted Services includes expenses for surveillance work, electrical work, Dig Safe, and similar services.

There was brief discussion on road repairs after the water main replacement project has been completed. Mr. Holder stated the contractor maintains the "patch" for a year while the road settles; then a more permanent patch is done. Selectman Trindade expressed concern that potholes will crop up soon on the patched area and that there is no money for repair beyond the patch.

Selectman Espinosa asked about part-time wages. Mr. Holder stated the actual costs will continue to rise, but acknowledged that no specific projects are budgeted. Accounts that are not fully utilized are drawn on for other projects, as needed.

The Board asked for a copy of expenses for both Sewer and Water Departments to date.

There was general discussion on Rentals, Consulting, Water Expenses, Water Revenues, and Debt Service for 2012. Since staff is not reading meters due to meter replacement, they are performing valve maintenance and hydrant replacement duties. A section of sewer line will need to be repaired, specifically, 7,000 feet of the Chicken Brook interceptor. While the pipe itself is in fairly good condition, there are pipe joints and manholes that need attention.

Selectman Espinosa asked about the line item for Legal Expenses. Ms. Kennedy stated this was her recommendation.

Selectman Crowley asked for a master list of projects, showing how each project is funded, along with a priority list.

Mr. Holder reported that the CIPC was planning to replace the flatbed truck. However, he would like to swap the truck for a backhoe for \$140,000. Specific information will come from CIPC; Mr. Holder submitted his information this morning.

Mr. Holder stated drainage improvements for Lovering Street are being included in the sidewalk project. Mr. D'Amico stated the engineer will be contacted to assess catch basin replacement or repair needs.

Referring to Article 14 and the lease of roadway equipment, Mr. Holder clarified that involved the hook lift truck, on a lease-to-own program. Right after their capital requests were processed, their existing backhoe (circa 1996) fell apart, and the department is using a rented backhoe. The rental money will be applied to the purchase price, if the article passes.

The Board turned its attention to the Unclassified section of the budget book. There was general discussion on debt service, insurance, retirement, workers compensation, unemployment, health insurance and other benefits.

With regard to the Library, Chairman Foresto stated he reworked the numbers from Wendy Rowe into a more user-friendly format. It was noted that additional computers should come out of the Information Technology budget, not the Library budget. He stated that the Library Trustees have developed a budget plan along with a list of future items they would like to secure. These would be nonrecurring items that would not be included in an annual budget, but instead paid via warrant article or from free cash. Ms. Kennedy recommended that any increase go into a warrant article with the stipulation that it be paid from free cash. Discussion followed.

With regard to four acres of available land on Adams Street, it was noted that an RFP would be necessary to determine the value of the land. Ms. Kennedy stated the matter was on the Board's agenda for its March 19 meeting. An appraisal has been completed.

It was announced that free cash will be in excess of \$2,000,000 this year; \$1.4 million is already earmarked with a remaining \$600,000 unallocated. Ms. Kennedy suggested creating another stabilization fund, this one for capital improvements. She noted the auditor expressed concern about excessive use of free cash. Ms. Phillips suggested putting some money into the OPEB Trust, which would indicate the Town is committed to the program. Brief discussion followed. Ms. Phillips will work on a proposal for splitting dividing money into the OPEB Trust and Capital Improvements Stabilization Fund which would be created from operational reserve and free cash.

**At 9:52 PM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.
VOTE: 4-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
March 12, 2012, 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 (left at 8:30) and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: Allen Tingley, Police Chief; Melanie Phillips, Finance Director; Carol Pratt, Town Accountant.

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

Public Comments: None.

FY2013 Budget Discussion – Continued:

Police Department – Police Chief Allen Tingley distributed copies of a handout containing a summary of information listing the number of calls to the department, divided into categories and totaled by year. He indicated calls and investigations have spiraled upwards in recent years, which generates a lot of follow-up tasks. He stated that he wanted to provide the Board with additional data and documentation to support his request for an additional patrol officer in order to promote an officer to detective.

Selectman Trindade was surprised at the number of calls, noting he was not aware that there was so much paperwork attached to each investigation or call. Chairman Foresto wanted to know if there was a way to determine the dollars involved. Brief discussion followed. Chief Tingley stated the spike in calls is what really stands out, and it's tough to be everywhere at once with limited staff. Ms. Kennedy stated she would like to look at the data a little more. Discussion followed.

Selectman Crowley asked for more details on what investigation entails. Chief Tingley listed some duties as following up on a domestic situation, call backs, processing insurance and accident forms, to name a few. Discussion followed on union positions and associated salary ranges.

Selectman Trindade moved that the Board instruct the Town Administrator to work with the Police Chief to add the position of one (1) Patrol Officer to the FY13 Budget; Selectman Espinosa seconded. Brief discussion followed. VOTE: 4-0-0.

Approval – One-Day Liquor License, St. Joseph's Parish:

The Board reviewed an Application for a One-Day Liquor License, received March 9, 2012 that had been forwarded to the Police Chief for review.

Selectman Trindade moved that the Board approve a one-day liquor license for St. Joseph's Parish Dinner and Dance to be held on March 17, 2012 from 6:30 – 11:30 PM at its Parish Center on Holliston Street pending a positive recommendation from the Police Department; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

At 7:35 AM 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 -- Adams St] and to return to public session upon adjournment; Selectman Crowley seconded. No discussion. Roll call vote – Crowley, aye; Espinosa, aye; Foresto, aye; Trindade, aye.

At 7:44 AM Chairman Foresto reconvened public session.

Selectman Trindade moved that the Board reopen the 2012 Annual Town Meeting Warrant; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved that the Board establish a placeholder article for the acquisition of open space; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved that the Board close the 2012 Annual Town Meeting Warrant; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Brief discussion followed on the amount of time necessary to update and revise the warrant. It was agreed to meet again on Monday, March 19, at 7:00 AM.

At 8:00 AM Selectman Trindade moved that the Board return to 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 -- Adams St] and to return to public session upon adjournment; Selectman Crowley seconded. No discussion. Roll call vote: 4-0-0 – Crowley, aye; Espinosa, aye; Foresto, aye; Trindade, aye.

At 8:15 AM Chairman Foresto reconvened public session. The Board resumed its budget discussion.

Chairman Foresto encouraged Board members to review the updated budget and compare it to their books so that everyone is working with the same numbers. Selectman Espinosa stated he would like to a copy of whatever is transmitted to the Finance Committee.

There was brief discussion on the projected free cash of \$81,000, including the possibility of adding the salary amount for the police officer to the Police Department budget and maybe making reductions elsewhere. Selectman Espinosa expressed concern that such action would detrimentally impact the chief and the department in another way. The Board also discussed the two vehicles per year option.

Ms. Kennedy reminded the Board of its own budget policy, eliciting a discussion on the ability to add positions or capital items for other departments relative to the Board of Selectmen's Budget Policy. Chairman Foresto stated the Board has to respect the decision it made and follow its own guidelines. He added that the schools have been afforded a lot of latitude the past few years, i.e., curriculum director, so adding a patrol officer is not that far out of the scheme of things. There may be a way to spend the \$57,000 in a way that both the schools and the Town benefit.

The Board asked Ms. Pratt about the school budget. She responded that there is still a little unallocated revenue. Chairman Foresto suggested further discussion on the school budget at tonight's Leadership meeting with the Superintendent. Brief discussion followed.

Economic Development -- \$21, 752 is currently listed. Chairman Foresto stated he believe the Board's position was that this amount was not sufficient for the task. He indicated he spoke with someone on the Planning Board who also did not believe it would be enough, and that the person hired should be full-time in order to successfully focus on economic development. A part-time staff member might not be the right choice.

Selectman Espinosa expressed concern that present efforts are not as successful as they could be. He suggested allocating some of that free cash with the proviso that it will not be spent until the Planning Board comes back to us with a proposal that the Board accepts. If this does not happen, the money does not get used. This would at least give them the incentive to do something. The money is set aside and if unspent, it can be rescinded. Discussion followed, mentioning other areas from where funds could be reallocated, places where budgeted numbers were left high, including the mostly unused Snow and Ice budget which will fall to free cash this year.

Discussion followed, exploring various alternate funding options, including the schools, police department allocation for vehicles and salaries, library budget, OPEB vs. ESCO, TRANE account, stabilization account, to name a few. Ms. Kennedy suggested moving \$300,000 from operational reserves into a Capital Items article, and, instead of transferring \$250,000, transfer only \$200,000 into the Capital Improvements Stabilization Fund, with an additional article for \$50,000. Various suggested motions were discussed.

Selectman Espinosa moved that the Board transfer \$200,000 from the anticipated free cash to the Capital Improvements Stabilization Account, and further, move \$59,042 to Economic Development for the purpose of promoting economic development; Chairman Foresto seconded. A friendly amendment was suggested that the motion should specify the free cash is from this fiscal year; Selectman Espinosa accepted the amendment. No further discussion. VOTE: 3-0-0.

Chairman Foresto moved that the Board transfer \$49,000 from the anticipated free cash from this fiscal year to the ESCO Stabilization Fund; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

Ms. Pratt asked the Board if it was ready for the budget to reflect revised amounts for the Finance Committee. She confirmed the revised amounts that the Board has discussed thus far.

After discussion, Selectman Crowley moved that the Board move the available capital funding allocated to the additional police officer salary (roughly \$57,000) be transferred to the DPW for roadway repair; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

There being no further business, the meeting was adjourned at 9:00 AM.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
March 19, 2012, 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. Selectman Richard Dunne was absent. It is noted that Selectman Espinosa left the meeting at approximately 9:20 AM.

Also Present: Melanie Phillips, Finance Director; Allen Tingley, Police Chief; Paul Trufant, Fire Chief; Susy Affleck-Childs, Planning and Economic Development Coordinator; Rich Boucher, Director, Information Technology; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Wendy Rowe, Library Board of Trustees.

At 7:00 AM Chairman John Foresto called the meeting to order and led the group in the Pledge of Allegiance.

Public comment: None

Warrant Review – Special Town Meeting:

The Board reviewed a draft Warrant for Special Town Meeting.

With departmental staff members on hand to answer questions, the Board went through the warrant articles and briefly discussed some of them. If an article is not mentioned here, there was no substantive discussion on it. Chairman Foresto encouraged Board members to ask questions as they reviewed each article rather than waiting until the end.

Referring to Article 1, it was noted that specific dollar amounts will be available closer to Town Meeting. The same is true for Article 5.

After discussion, Selectman Trindade moved to delete Article 4 – Transfer: Legal Account to Appellate Tax Litigation Fund; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.

Warrant Review – Annual Town Meeting:

The Board reviewed a draft Warrant for Annual Town Meeting.

Again, it is noted that, if an article is not mentioned here, there was no substantive discussion:

Article 3 – There was brief discussion reminding the Board that the \$37,290 for economic development consulting was coming from free cash, in addition to funds in the Planning Dept. budget. The Board had previously asked for more information on how the funds were specifically to be used. Selectman Trindade emphasized that unless the property owners are involved in development efforts, they will feel like they can do what they want. Brief discussion followed on marketing in general. Selectman Espinosa

reminded Ms. Affleck-Childs that any approved funds will not be spent unless their efforts are in line with the overall strategic plan.

Regarding other capital items, there was brief discussion on walkways, bridge repairs, computer virtualization, library computers and the possibility of getting DOT funding for various DPS projects. It was noted that school computers have to be an expense item to offset depreciation. The Board expressed concern that money should be set aside for computers to be replaced every five years on a staggered schedule, and that has not been happening. The Board asked for a list of specific parks and field improvements. Selectman Trindade asked the Board if it could find a little money to repair or redo the paving around the back of the police station.

Article 4 – It was noted that the fire truck will be a combination pumper-ladder truck.

Article 6 – Concern was expressed that sewer rates would have to be increased in order to cover this funding. Brief discussion followed.

Article 17 – Selectman Trindade expressed concern that abutters may not have been notified of this. They bought their homes with the understanding that land could not be built upon. Also concern that applicant should pay associated costs. Appraiser should be hired by the Town.

Article 18 – Selectman Trindade wondered when the revolving fund for Parks and Recreation was established. Brief discussion followed on how the account works and other sources of revenue for this department.

Article 22 – It was noted that the library must spend 60% of their appropriated amounts, yet the funds spent do not have to come from the appropriation. Brief discussion followed.

Article 24 – Concern was expressed that the Brentwood residents are not aware of the impending project and its impact on the neighborhood as well as specific homeowners.

Article 27 – Chief Tingley briefly explained how it would be helpful to be able to fingerprint prospective licensees.

Article 28 & 29 – Brief discussion on appointment versus electing members to the Board of Health, and why physicians are not interested. It was noted that there is a lack of applications from interested parties. It was decided to keep both articles 28 and 29 for the time being.

Article 30 -- Street acceptance process -- the language of this article will be further revised and reviewed by Town Counsel.

Article 31 – Will be removed as it is not quite ready.

Article 32 & 33– These articles contain updated or new definitions of specific terms and wording. The Board asked for clarification on specific changes; they have received a copy with highlighted changes. Ms. Affleck-Childs noted that Article 33 lists completely new definitions. Discussion followed. Ms. Affleck-Childs will submit a revised report featuring comments from Town Counsel.

Remaining Zoning Articles – Ms. Affleck-Childs briefly reviewed them, noting that sometimes entire sections have been deleted and replaced with new, updated language, and in some cases, renumbering paragraphs. Outdoor storage of materials and vehicles, language relative to kennels, and other changes are included.

There was discussion of possibly doing a complete overhaul of the bylaws rather than the occasional update. This would allow a complete and thorough review of zoning bylaws in their entirety. Discussion followed.

Article 51 – Personhood. The Board believes Town Meeting is not the appropriate place for this article, but because it has been submitted via citizen petition, the Board does not have the authority to remove it.

**At 10:00 AM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.
VOTE: 3-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
March 19, 2012, 6:00 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: Susy Affleck-Childs, Planning and Economic Development Coordinator; David D'Amico, Deputy Director, Department of Public Services.

At 6:03 PM Chairman Foresto called the meeting to order and led the Board in the Pledge of Allegiance.

Chairman Foresto thanked the Town Administrator and staff for the renovations to Sanford Hall. The room is very attractive, and the work was done under budget. Much of the work was accomplished by Town employees with the help of some senior volunteers. Ms. Suzanne Kennedy, Town Administrator, credited Mr. Jon Powers for a great deal of the work.

Moment of Silence:

The Board offered its condolences to the family of Husan Husain, member of the Economic Development Committee who recently passed away.

Public Comments:

Mr. Chan Rogers wanted to respond to the Board's concerns expressed at a recent meeting relative to industrial development along Interstate 495. He noted that he too has concerns, but the use is acceptable as long as it is within current zoning bylaws. To implement more stringent control measures, the bylaws will need to be reviewed and amended going forward.

The Board's concern was that, due to a change of ownership of a parcel in the industrial park, a waste container business is coming in. This was not the type of business the Board had envisioned for that area, instead one more directed toward office space. They would like the park to attract businesses that will generate revenue and create jobs. Mr. Rogers confirmed that the Planning and Economic Development Board would also be in favor of this.

Mr. Rogers briefly updated the Board on the tremendous improvement in the Medway Mill property, once a junk heap, and now a flourishing entity with 53 tenants. It is something Medway should be proud of, and he encouraged the Board to find a way to recognize the owner and his enthusiasm.

Finally, NSTAR approached the Planning and Economic Development Board with a technology plan to help distribute power during peak times to avoid brownouts and blackouts.

Medway Hockey Team – Congratulations:

Selectman Crowley extended congratulations to the Medway Boys Hockey Team as they made it to the state finals against Hudson last week.

Authorization of Chairman to Execute Contract with Sansoucy Engineering – Non-DOR Utilities

Valuation -- \$48,000:

The Board reviewed the following information: (1) Contract Summary Sheet; and (2) Agreement Between Town of Medway and George E. Sansoucy, PE, LLC.

Present: Will Naser, Principal Assessor.

Ms. Kennedy expressed optimism that Mr. George Sansoucy will be able to clear up some ambiguities in assessments. The work will not be completed before June 30, so they will need to determine how much more is needed in order to secure funding to for it Town Meeting.

At this time Selectman Trindade moved that the Board authorize the Chair to execute a contract with George E. Sansoucy, P.E., LLC in an amount not to exceed \$48,000 for the purpose of completing a non-DOR Utilities Valuation; Selectman Espinosa seconded. Selectman Crowley pointed out there were discrepancies in the dates outlined in the contract and Agreement. Discussion followed.

Selectman Crowley suggested a friendly amendment, namely, that the contract date should read the date it is signed instead of February 27, 2012. Additionally, the first payment should be May 30, with the final payment upon completion of the contract, closer to September 30, 2012. Selectman Trindade withdrew the original motion.

Selectman Trindade moved that the Board authorize the Chair to review changes discussed at tonight's meeting, and upon approval of those changes, to execute a contract with George E. Sansoucy, P.E., LLC in an amount not to exceed \$48,000 for the purpose of completing a non-DOR Utilities Valuation; Selectman Crowley seconded. No further discussion. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract with Clean Harbors Environmental Services, Inc. – Household Hazardous Waste Services -- \$10,000:

The Board reviewed the following information: (1) Contract Information Summary, dated March 15, 2012; and (2) Household Hazardous Waste Collection Agreement for a collection date of May 19, 2012.

It was noted that the hazardous waste collection would take place at the Alder Street Collection Site on Saturday, May 19, 2012.

Selectman Trindade moved that the Board authorize the Chair to execute a contract with Clean Harbors Environmental Services, Inc. for household hazardous waste services in an amount not to exceed \$10,000; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract with Maher Services, Inc. – Village Street Well Rehabilitation -- \$20,880:

The Board reviewed a Contract Information Summary, dated March 15, 2012, for well rehabilitation services to be completed by June 1, 2012.

Mr. David D'Amico, Deputy Director, Department of Public Services, stated this vendor has done work for Medway before and submitted the low bid. The well rehabilitation work is a process that will happen every year to keep the wells functioning properly. It was explained that screens in the bottom

of the wells become encrusted with minerals and debris over time, and the screens need to be removed, cleaned and then replaced in the well. Mr. D'Amico stated the whole process takes about a week.

Selectman Trindade moved that the Board authorize the Chair to execute a contract with Maher Services Inc. in an amount not to exceed \$20,880 for the Village Street well rehabilitation project; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Energy Committee Composition (revised):

The Board reviewed the following information: (1) Email, dated March 13, 2012, from Frank Faist, Committee Chair; and (2) Email, dated February 14, 2012, from Allison Potter, Assistant to the Town Administrator.

Ms. Kennedy stated the Chair of the Energy Committee concurs with the revised composition and staggered terms of membership.

Selectman Trindade moved that the Board approve a revision to the previously voted Energy Committee composition to allow for a nine-member committee consisting of six at-large members appointed by the Board of Selectmen for staggered terms as well as a representative from the School Committee, Planning and Economic Development Board and Board of Selectmen, each appointed by its respective board or committee as outlined in the February 14, 2012 email proposal; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Amendment to Medway Community Farm, Inc. lease adding parcel located at 40-46 Adams Street:

The Board reviewed the following information: (1) Email A, dated February 27, 2012, from Town Counsel, Barbara Saint André; (2) Email B, dated February 27, 2012, from Town Counsel, Barbara Saint André; (3) Summary of the Farm Plan for the Adams Street property; (4) MapsOnline plan of the Adams Street Property; (5) Email, dated March 5, 2012, from Town Counsel, Barbara Saint André; and (6) Proposed Amendment to Lease Agreement.

Present: Susy Affleck-Childs, Planning and Economic Development Coordinator; Brittany Sidway, Farm Manager.

Ms. Sidway stated the Community Farm is interested in leasing the Adams Street parcel near the high school. It is an open hay field at this time. They would like to grow vegetables with an initial cover crop to build soil quality. Proximity to this endeavor would help encourage high school students to become involved in the program. She stated they plan to use two of the four acres, but if they could have access to all four, it would be most appreciated.

Selectman Crowley wondered if signing the amendment would terminate the existing lease. It was noted that the amendment adds the Adams Street property to the existing lease, and extends the original agreement.

Selectman Trindade suggested having a conversation with the Conservation Commission as the rear of the property abuts wetlands. Ms. Sidway responded that state laws allow the farm to come within 50 feet, but they are amenable to observing the 100-foot buffer restriction.

Selectman Crowley expressed concern about potential visual blight from extraneous structures and vehicles, etc. spoiling the view of the historic area, and asked that the Community Farm be sensitive to that.

Selectman Trindade moved that the Board approve an amendment to the Lease Agreement between the Town and the Medway Community Farm, Inc. allowing for the Farm to lease additional property located at 40-46 Adams Street through December 13, 2012 under the same terms and conditions as stated in the Lease Agreement; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

It was suggested that this matter be reviewed by the Medway Organic Farm Advisory Committee before approval. **At this time, Chairman Foresto moved to rescind the previous motion; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

After brief discussion, Selectman Trindade moved that the Board of Selectman, after discussion with the Medway Organic Farm Advisory Committee, approve an amendment to the Lease Agreement between the Town and the Medway Community Farm, Inc. allowing for the Farm to lease additional property located at 40-46 Adams Street through December 13, 2012 under the same terms and conditions as stated in the Lease Agreement; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Chairman Foresto asked what happens when the lease expires in December of 2013. Ms. Affleck-Childs responded that the existing contract contained provisions for renewal.

In conclusion, Ms. Sidway announced the annual Medway Community Farm 5K Run is scheduled for April 29 at Medway High School.

Action Items:

#2 -- Route 109 – Selectman Crowley stated people are asking him how things are going. Selectman Espinosa responded that it is important for residents to know the project will not happen for a few years as the funding is uncertain. But it is equally important to get the final design done and pay GPI for the engineering and design services.

Selectman Espinosa reported on the meeting held on March 14; committee members met at the Community Church, walked the area and observed traffic at peak time (5 PM). They determined they would like to use traffic light timing/sequencing to allow more traffic to continue east on Route 109 and hold the Franklin Street traffic back just a little. GPI will prepare a light sequencing proposal.

Mr. D'Amico expressed concern that slowing traffic in one place pushes it to another intersection. In the 25% filing with the state, Highland Street was featured as a one way. That did not work so the plan will be revised, but cannot do that until the comments come back from the public and the state on the 25% design.

The Board does not see any issues with the work that is being done on this project and appreciates the periodic reports from the committee.

#8 -- Village Street Sidewalks – Mr. D'Amico stated the engineering has been done, and the project is going out to bid. DPS hopes to have it finished by September 1 in time for the start of school.

#9 – Planning Board Warrant Articles – This has been done and can be deleted .

#5 – Strategic Planning Session – Ms. Kennedy asked if the Board would consider doing this after the Town Election in May. Chairman Foresto suggested meeting with all the boards (Planning, Economic Development, Zoning Board of Appeals, Conservation Commission) first, possibly two at each Board of Selectmen meeting. The Board can convene the Strategic Planning Session after it has met with everyone.

Selectman Trindade suggested connecting with the Medway Business Council. Selectman Crowley suggested that after the new Selectmen has joined the board, there could be a planning breakfast and invite various groups.

There were no other updates to the Action Items.

Pond Street Update:

Selectman Crowley stated he is the one holding it up because he hasn't had time to review the materials. Then the letter will go out to the residents for public input. When Pond street is done, Lovering street would be next.

Mr. D'Amico stated Lovering Street has some drainage issues that are being resolved. The two streets might be combined into one project and go out to bid together.

Selectman Crowley wondered why widening of the sidewalks was going further into the property owners' land instead of further into the street. Mr. D'Amico stated expanding the sidewalks into the street is problematic. When the roads were done originally, sidewalks were installed where none were supposed to be (space was not allowed). The catch basins are oddly placed and difficult to clean. Ideally they will need to be replaced. The work will be done in the right-of-way, and the DPS will do any necessary grading and loaming of disturbed areas. Discussion followed.

It was suggested that a letter should go out to residents to keep them informed.

Approval of Warrants:

The Board reviewed Warrant 12-38, dated 3/22/12, in the amount of \$779,194.39.

Selectman Dennis Crowley, Clerk, read aloud Warrant 12-38, dated 3/22/12, submitted for approval, as follows:

12-38	Town Bills	\$310,445.80
12-38S	School Bills	\$468,748.59
	TOTAL	\$779,194.39

Selectman Trindade moved that the Board approve Warrant 12-38 as read; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Town Administrator's Report:

Ms. Kennedy reported she had an opportunity to meet with the Sanford Mill Condominium Association which indicated they have concerns about the residents' parking spaces being taken up by public when access to the Charles River and amphitheater is completed. There is also a modicum of privacy invaded as well as fears about potential trespassing. They want to have a better idea of the Open Space Committee's vision of the final outcome of the project. It was suggested it might be nice if a member of the Board worked with the Open Space Committee to make sure these concerns are addressed.

Ms. Kennedy stated she would get more information, and asked if perhaps the Board could meet with the Open Space Committee at a workshop.

Selectman Trindade volunteered to work on this project.

Selectmen's Reports:

Selectman Trindade asked about the status of the RFP for ambulance service. Ms. Kennedy responded that one has been received thus far. She stated an advertisement was placed in the Central Register and also communicated to two interested vendors. A third vendor opted not to respond. She hopes to have more information at the next meeting.

Selectman Trindade asked about resumes for the position of Fire Chief. Ms. Kennedy stated fifty resumes have come in. She will put together a search committee, and Human Resources will disseminate the information to the committee. The committee will include the Department of Public Services Director, Human Resources Director, Police Chief, and two Fire Chiefs from surrounding communities (Sherborn and Ashland). Selectman Espinosa asked if a member of the Board of Selectmen could be on the committee. Ms. Kennedy responded no. Discussion followed.

Chairman Foresto stated Ms. Kennedy is responsible for appointing this position. He noted that he and Selectman Trindade both participated in the Police Chief search, but would honor her position in this matter.

Selectman Trindade argued that Ms. Kennedy set a precedent with the Police Chief search, allowing Selectmen to serve on the search committee, and stated he could not see why having a Selectman on this committee could be a problem.

Selectman Espinosa emphasized that the Board would not eliminate any decision-making abilities, adding that they just want a seat at the table to have insight into the process. He expressed concern that Board members will be questioned about it and want to feel comfortable having someone in the process.

Selectman Crowley commented that it is in Ms. Kennedy's purview of responsibilities. He expressed concern that of the five people on the committee, only one is a Medway resident, and suggested there should be more representation from residents with relevant experience. Additionally, he stated it would have been nice to get some advance notice that the position was posted.

Chairman Foresto stated that this position is a lot more visible than other department heads.

Selectman Espinosa asked Ms. Kennedy what the Board has done that she does not want them involved. Ms. Kennedy responded that she has a specific objective in mind, and in the search for a

previous Fire Chief, she got "beat up" by the Board of Selectmen, who created a huge debate that forced her into a decision she did not want to make. Selectman Trindade replied that the discussion had not been about the hiring of the new chief, but instead a discussion about replacing the existing chief. Ms. Kennedy offered to get the Board copies of the meeting minutes.

Ms. Kennedy stated she would consider including a Selectman on the search committee. Additionally, she asked that the Board consider an assessment center as part of the interview process. In such a venue, applicants are asked many questions, technical and otherwise, allowing interviewers and observers to assess how people respond and behave. This exercise would be useful to help determine who moves onto the second round of interviews.

Selectman Espinosa stated he would like more transparency from Ms. Kennedy's office about these kinds of processes. He added his personal position that he wants to be engaged in what is going on and how it's happening.

Selectman Trindade asked Ms. Kennedy to submit a written proposal for the assessment plan, with any associated costs, who might be involved, etc.

Selectman Trindade recommended that the EMS contract be transmitted to the Board of Selectmen a week before the meeting to allow sufficient time for review. Ms. Kennedy stated there is no danger of any loss of coverage or service in the interim. She confirmed that the President of the ambulance services billing company may also be on the search committee for the new Fire Chief. He is an EMT and very experienced.

Executive session:

At 7:23 PM Selectman Trindade moved to go into executive session for the purpose of considering 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 – Briggs Property), not to return to public session; Selectman Espinosa seconded. ROLL CALL VOTE: Crowley, aye; Espinosa, aye; Foresto, aye; Trindade, aye – 4-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
Joint Meeting with School and Finance Committees
March 29, 2012, 7:00 PM
Medway High School Library
88 Summer Street**

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade (7:15) and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: School Committee: Jeff DeVolder, Chair; Carol Bernstein, Vice Chair; Diane Borgatti; Cindy Sullivan; Deb Trindade(7:10 PM); 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; Chris Lagan, Clerk; Members: Christine Devine, Kevin Dickie, Tony Pacholec and Jim Sheehan.

At 7:02 PM School Committee Chairman Jeff DeVolder called the meeting to order and called upon Board of Selectmen Chairman John Foresto to lead the gathering in the Pledge of Allegiance.

Documents submitted for this meeting include the following: (1) Medway Public Schools – Chapter 70 Aid Summary, FY2012 vs. 2013, dated March 2, 2012; (2) Handout depicting PowerPoint slide; and (3) List of questions previously submitted by the Board of Selectmen and the Finance Committee.

Superintendent Judy Evans stated she would first do an overview of the FY13 MPS budget as it was presented at the public hearing on March 1, and then address the submitted questions. Utilizing a PowerPoint presentation, Superintendent Evans reviewed a variety of topics including budget priorities FY13, FY13 budget, FY12 budget compared to FY13 budget, funding sources, projected staffing in both elementary and upper grades, associated costs of personnel changes, and summary of proposed expense changes. She encouraged attendees to ask their questions as she went through the slides.

Responding to a question from Mr. Martin Dietrich, Finance Committee Chairman, about the preschool enrollment figures, Ms. Evans stated the enrollment is down a little. She noted that the public schools are mandated to provide preschool for students of preschool age with disabilities. She theorized that the preschool staff will be down one for next year.

Mr. Jeff O'Neill, Finance Committee Vice-Chair, asked if the staff numbers reflected those who would be retiring. She stated that it does, for those they are aware of; there are people of retirement age who, at present, have not indicated they will stop teaching.

Ms. Evans added that salaries are included based on steps and lanes, but as the contracts are still under negotiation, any other increase is unknown at this time.

Referring to the FTE Historical Analysis on page 4 of the Chapter 70 handout, it was noted that few staff members were added system wide, but there was a marked increase in special education staff. Nine (9) years of FTE costs were presented on page 4, while Per Pupil Cost was featured on page 2.

Question 3 submitted by Mr. Jeff O'Neill, Finance Committee, referred to enrollment and class sizes. Ms. Evans directed him to the presentation handout which showed a projected average class size, between 20 and 22 students per classroom for grades 1 through 8. High school class size varies due to scheduling issues. In general, the class sizes are favorable and something they strive to maintain. Ms. Evans emphasized that she did not recommend reducing class sizes further. Mr. DeVolder agreed.

Mr. Charles Myers stated there did not appear to be a provision to consider students who may move into Medway after this report was written. He noted that, years ago, the number of paraprofessionals was significantly decreased, which had a huge impact on the MCAS score thereafter.

Mr. O'Neill stated he was completely fine with what has been proposed thus far. Ms. Evans clarified that the paraprofessionals who are being reduced are the "one on one" staff. These are the people who work with a single student, and if that student's Individual Education Plan (IEP) changes, i.e., is mainstreamed or other adjustment, that paraprofessional is no longer needed for that student. Regarding students who move into the community, if enrollment causes first grade to be larger than anticipated, they will add a section and made a reduction somewhere else. Ms. Deb Trindade added that those paraprofessionals were predominantly in kindergarten classes.

Ms. Christine Devine asked how optimal class size is determined. Ms. Evans responded that there is not a lot of significant research that says low class size has an impact on students. In fact, it is more likely the combination of experienced teachers, a proven curriculum, and instructional strategies that is more important. Class sizes of 20 can be handled by a teacher and a paraprofessional who each work with 4 students who need more assistance, while the other students move from station to station on their own. Ms. Evans cautioned that sometimes the impact is not seen until three or four years later. Selectman Trindade suggested that the MCAS does not assess how articulate a student may be. A large class size means less discussion, as well as fewer papers because the teacher doesn't have time to grade them.

At this time, Mr. David Verdolino reviewed the Chapter 70 handout, going through it line by line and explaining definitions as he went. He noted that the foundation budget is what the Town is legally required to provide for an education – derived in equal amounts from property values (taxes), and income (higher than property).

Selectman Crowley expressed concern that, given declining enrollment, the Chapter 70 money would be level funded moving forward. It was noted that, for a few years, the funds have been a little more than what was budgeted and that this is an easy pattern to fall into. There could be a year when the seemingly level amount of funding may not materialize, which could upset the budget considerably. Selectman Espinosa suggested developing some strategies now before that kind of scenario happens. Mr. Verdolino responded that the schools are at a good place now, noting that, with the addition of the curriculum director and technology assistant, Medway Public Schools can provide a good education even if funding should be difficult.

Mr. Martin Dietrich asked how the foundation budget is calculated. Mr. Verdolino responded that the state determines it for each community and is typically 41% of a budget.

Referring to Question #1 of the Finance Committee questions, Mr. Verdolino stated health insurance costs are a town-wide cost. It has always been done this way as the Town administers the health care plan. If the schools were required to do so, they would include it in their budget. Mr. O'Neill commented that it is a budget policy in the Lexington model.

Referring to page 3 of the Chapter 70 handout, it was noted that the circuit breaker money received this year has to be spent before the end of next year. If the School Dept. can save it until next year, they will then know what monies to include in the budget, and will have money available if there is a move-in student with special needs. The department did not spend any of the FY12 circuit breaker money so it was carried forward in the budget. It was clarified that circuit breaker money can only be spent for special education costs including transportation. Responding to Selectman Trindade's question on how a smaller amount would be handled, Mr. Verdolino stated there would simply be less spent on special education. He added that, before the recession, reimbursement was legally set at 75% but this year it was funded at a 65%. He stated that page 22 of the proposed FY13 budget showed all the funds and their balances.

Mr. Martin Dietrich asked about school choice funds. Mr. Verdolino stated there was a balance of \$700,000 at the end of this year. Those funds can be used for just about anything that benefits school choice students.

Brief discussion followed on reserve funds. Mr. Dietrich suggested there should be a plan on what to use that for, as well as a contingency plan if other funds are unavailable. In five years all these committees will be different people who may not know what has come before nor know of pitfalls previous groups encountered. Ms. Evans clarified that requests to be paid from school choice funds are reviewed by the School Committee, not just the Superintendent and Finance Director. Mr. Dietrich reiterated that a plan for all funds should be documented and memorialized for those who will need to know about it in the future.

Ms. Suzanne Kennedy stated such a program is in place, noting the Board of Selectmen has a financial reserves policy which was lauded by the outside auditors as one of the best they have seen. She noted that the Town's reserves are in the range recommended by the Department of Revenue.

Brief discussion followed on proposed Capital Improvement Stabilization Fund, operational reserves, revenue sources, and the opportunity for adding programs in foreign language, more health education and other things which can be considered if other programs come in under budget. It was noted that school choice funds should not be used to recurring expenses so that it does not get spent down.

Mr. Charlie Myers suggested making a change out of the way special education is being handled. A number of special education positions were eliminated and replaced with staff related positions. He wondered if the School Dept. was setting itself up for needing additional staff next year because the new positions do not service students. Ms. Evans responded that the staff members servicing students are staff members in the speech and language department, reading specialists, psychologists, counselors or similar area. The directors also have a lot of experience in coordinating and overseeing programs.

Selectman Trindade commented that Town Meeting duration has dramatically decreased the past couple of years due to increased explanations and understanding of financial scenarios. Mr. Martin

Dietrich, Finance Committee, added that the level of transparency has increased in the past three years which has greatly helped residents understand financial situations and implications.

There being no further business, the meeting was adjourned at 8:37.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
April 2, 2012, 7:00 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: Sue Ellis, Human Resources Director; Tom Holder, Director, Department of Public Services; Melanie Phillips, Treasurer-Collector; Carol Pratt, Town Accountant; Allen Tingley, Police Chief; Chan Rogers.

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

At 7:02 PM Selectman Trindade moved to enter into Executive Session under Exemption #6 to consider the purchase, exchange, lease or value of real property owned by Richard Briggs if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to return to public session immediately following executive session; Selectman Espinosa seconded. No discussion. Roll Call Vote: 4-0-0 -- Crowley, aye; Espinosa, aye; Foresto, aye; Trindade, aye.

At 7:08 PM Chairman Foresto reconvened the public session.

Public Comments: None.

Discussion – Ambulance Services Procurement:

Present: Karen Kisty, Operations Manager; Melanie Phillips, Finance Director.

Ms. Kennedy reminded the Board it had asked for a synopsis of the RFP process relative to ambulance services. She stated there is an agreement with the current vendor, but it has been difficult to reach him. It was decided to go out to RFP – Request for Proposal– as the Town is required to have an ambulance services contract in place. Ms. Kennedy recommended that the Board of Selectmen reject the sole bid that was submitted. Staff is present tonight to give both a report with recommendations as well as a brief review of the evaluation process. She concluded by thanking Selectman Crowley for his assistance in this matter.

Ms. Karen Kisty stated they received invaluable assistance from Bill Mergandahl of Pro EMS. She stated she checked the RFP's posted by other communities, determined the best fit for Medway, and posted it on the Central Register. The RFP got only one response. Deadline for submittal was March 14, and the review was on March 20.

Ms. Kisty stated the respondent did not supply the information they were looking for. For example, he did not identify the cost to residents. He did not ask for statistics on the Town's average number of ambulance trips each year, and provided no information on his contractual agreements with other area

communities. It was unclear whether he would be able to respond appropriately or whether a backup service would be necessary. The industry standard is a response time of twelve minutes or less, but there is no way to get information on new providers. Typically, a process can be instituted where a fine is levied for calls beyond twelve minutes, if the provider agrees to do so for 90% of the time (or whatever the contract might state).

Ms. Melanie Phillips stated there was lengthy discussion on this RFP, it was decided that the right thing to do was to throw it out. She distributed a proposed operating procedure with goals. A committee consisting of the Fire Chief, EMS Coordinator, and Bill Mergandahl would interview providers, do a site visit, assure compliance, etc. If a provider was chosen, the contracts would be drawn up and the process would move forward.

Responding to a question from Chairman Foresto, Ms. Phillips stated the Town is not at risk while this process takes place, as there is a current provider with a billing agreement. It is not atypical for a billing agreement to be executed by the Fire chief and the provider. Ms. Kennedy recommended a standard contract as opposed to a billing agreement be reviewed and approved by the Board of Selectmen.

Discussion followed. The Board expressed concern for the following: out of compliance with Medicare (it is not); billing agreement does not cover enough information; what are standard practices; what are industry standards; contract vs. service agreement; invite someone in the industry to give us more information; what are other area communities doing; secondary provider; and lastly, the Board would like to see copies of different kinds of contracts and service agreements.

Ms. Kennedy stated she did discuss billing agreements with Mr. Mergandahl. He said sometimes a billing agreement is appropriate, and other times it should be a contract. The Inspector General advised use of a contract, as a contract will refer to the statutes and defines any liability.

Chairman Foresto summarized that a contract would contain all service and billing information. He asked Ms. Kennedy to put together a one-page summary of all discussion points and data.

Authorization of Chairman to Executive Contract with Robert Gorman Construction -- \$7,500 – Police Station Rail Installation:

The Board reviewed the following information: (1) Memo, dated April 2, 2012, relative to Contract; (2) Quotation form, dated January 26, 2012; and (3) Contractual Agreement with supporting documents.

Present: Allen Tingley, Police Chief.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Robert Gorman Construction for an amount not to exceed \$7,500 to install snow and ice rails on the Police Station roof; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Appointment – Council on Aging – Siri Krishna Khalsa:

The Board reviewed a letter of interest, dated January 11, 2012, from Siri Krishna Khalsa, 12 Candlewood Drive.

Ms. Siri Krishna Khalsa introduced herself to the Board, stating she has lived in Medway for sixteen years. A yoga instructor, she was interested in doing volunteer work and visited the Medway Senior

Center. She joked that her long time friend, Missy Diczek, Director, Council on Aging, drafted her into service.

Selectman Trindade moved that the Board appoint Ms. Khalsa to the Council on Aging to fill a vacant position with a term expiring June 30, 2014; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Decorative Pole Attachment Agreement with Verizon

The Board reviewed the following information: (1) Proposed Agreement; (2) Maps showing proposed banner locations; and (3) Email, dated February 16, 2012, from Town Counsel.

Ms. Kennedy stated the Medway 300 Committee is planning on putting up banners in three areas in Town, and they met with Verizon who manages the utility poles in Medway. Approximately 37 banners will be placed, but permission must be granted by the Board of Selectmen. It was noted that Town Counsel has reviewed the proposed agreement.

Selectman Trindade moved that the Board authorize the Chairman to execute the Municipal Decorative Pole Attachment Agreement with Verizon New England for the purpose of placing banners for the Medway 300 celebration; Selectman Espinosa seconded. It was noted that the banners are temporary but the hardware may remain for future use by other groups after they obtain permission. VOTE: 4-0-0.

Approval – Medway Youth Baseball Parade – April 22:

The Board reviewed the following information: (1) Request, dated March 20, 2012, from Medway Youth Baseball; and (2) Memo, dated March 21, 2012, from Police Chief Tingley.

Selectman Trindade moved that the Board of Selectmen approve the Medway Youth Baseball Parade to be held on Sunday, April 22, 2012, at 12 PM with the condition that the organization hire two detail officers to assure the safety of parade participants and movement of traffic during the event; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Tri-State Trek – July 20-22:

The Board reviewed the following information: (1) Tri-State Trek Request, dated March 14, 2012; and (2) Police Chief's recommendation, dated March 21, 2012.

Selectman Trindade moved that the Board of Selectmen approve Tri-StateTrek's passage through Medway on Friday, July 20, 2012 between 6:30 and 9:30 AM with the condition that the organization hires one detail officer to cover the safe crossing of bicyclists at Milford and Fisher Streets; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Re-opening and Closing of Special Town Meeting Warrant:

The Board reviewed the Draft Warrant for Special Town Meeting, May 14, 2012.

Selectman Trindade moved that the Board of Selectmen open the Special Town Meeting Warrant for May 14, 2012; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

At this time, the Board reviewed each article on the Warrant and voted its recommendation for each one.

Article 1 -- Utility Revaluation: Ms. Kennedy explained that this article allows the rollover of \$24,000. The money is in the existing budget but needs to be reserved or moved forward. **Selectman Trindade moved that the Board recommend Article 1; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.**

Article 2 --Budget Transfer to Assessor Revaluation Article: **Selectman Trindade moved that the Board recommend Article 2; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.**

Article 3 --Appropriation: OPEB Trust Account: **Selectman Trindade moved that the Board recommend Article 3; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.**

Article 4 --Appropriation: Repair Storm Related Damage to Town Property: **Selectman Trindade moved that the Board recommend Article 4; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.**

Article 5 --Prior Year Bills: **Selectman Trindade moved that the Board recommend Article 5; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.**

Selectman Trindade moved that the Board of Selectmen close the Special Town Meeting Warrant; Selectmen Espinosa seconded. No discussion. VOTE: 4-0-0.

Re-opening and Closing of Annual Town Meeting Warrant:

The Board reviewed the following information: (1) Table of Contents for Annual Town Meeting Warrant; and (2) Draft Warrant for Annual Town Meeting, May 14, 2012.

Selectman Trindade moved that the Board re-open the Annual Town Meeting Warrant; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Town Administrator Kennedy informed the Board that a number of articles have changed, and that a spreadsheet would also be inserted into the Warrant. She clarified that, due to the changes and new articles, the articles will be numbered differently than in previous draft Warrants.

At this time, the Board considered each article individually and voted its recommendation.

Article 1 -- Appropriation: FY13 Operating Budget: **Selectman Trindade moved that the Board recommend Article 1; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.**

Article 2 -- Appropriation: Town Clerk Salary: Ms. Kennedy stated this article is new. The authorized increases in the Town Clerk's salary should have been voted at Fall Town Meeting, so now there needs to be an article to say that she is allowed this money as she is an elected official. It is a housekeeping issue. **Selectman Trindade moved that the Board recommend Article 2; Selectman Espinosa seconded. Ms. Kennedy confirmed that the Town Clerk is not upset by this delay. VOTE: 4-0-0.**

Article 3 -- Free Cash Appropriation: FY13 Capital Budget: There was brief discussion on the amended dollar figures for several items. Tom Holder, Director, Department of Public Services, was present for the discussion, and commented that it was interesting the CIPC made changes on DPS items without consulting DPS for an opinion. Discussion followed.

Regarding a new Open Space/Parks Recreational Use Study, Mr. Holder stated this amount was determined a couple of years ago and it is in the range of what this kind of study might cost. The study's focus would be more on the passive areas of recreation, and did not include study of youth groups, athletic fields, etc. It was noted that, if additional funds were allocated and not used, the remainder would need to be repurposed at a future Town Meeting. Discussion followed.

Concern was expressed about lack of time to make changes to the budget; it was suggested to defer to the opinion of the CIPC in this matter. Posting requirements need to be considered, and the Finance Committee needs to review the budget. It was further suggested to post a Board of Selectmen meeting for Friday morning; it could be cancelled if this matter is not resolved this evening. The Board opted to table the discussion of this article and consider the rest of the Warrant.

It is noted that the Board returned to this discussion later in the evening, with the following result:

Selectman Trindade moved to add the following four items to the CIPC list: \$160,000 for replacement of computer hardware, \$55,000 for GIS upgrades, \$58,000 for a one-ton dump truck, and \$78,000 for the replacement of McGovern School furniture, and, further, \$50,000 for the excavator for use on the athletic fields and parks; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

It was noted that if the CIPC does not agree with this decision, the Board can then have a meeting to resolve the matter.

It was suggested that the reduction of the \$349,045 from the heath plan budget could be utilized within the budget. Ms. Phillips advised that the \$349,045 has to be a monetary article. She suggested totaling a group of items to a specific amount of the tax revenue, and use free cash for the difference.

Article 4 -- Free Cash Appropriation: FY13 Non Capital Item: It was noted that nothing will be spent out of this article without approval of the Town Administrator and the Board of Selectmen.

Selectman Trindade moved that the Board recommend Article 4; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 5 -- Free Cash Appropriation: Capital Improvement Stabilization Account: Ms. Kennedy stated this article established the account. **Selectman Trindade moved that the Board recommend Article 5; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.**

Article 6 -- Operational Reserve Transfer: Capital Improvement Stabilization Account: **Selectman Trindade moved that the Board recommend Article 6; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.**

Article 7 -- FY13 Capital Budget: Bonding Expenditure: **Selectman Trindade moved that the Board recommend Article 7; Selectman Crowley seconded. No discussion. VOTE: 3-0-0 – Selectman Espinosa was out of the room.**

Article 8 -- FY13 Capital Budget: Water Enterprise: **Selectman Trindade moved that the Board recommend Article 8; Selectman Crowley seconded. No discussion. VOTE: 3-0-0 – Selectman Espinosa was out of the room.**

Article 9 -- FY13 Capital Budget: Sewer Enterprise: Concern was expressed for impact on sewer rates and impact on the Medway Community Farm. From a financial perspective, Ms. Phillips stated the borrowing will be for 20 years, with very minimal impact financially. She clarified that decisions on the rate structure would come from the Water and Sewer Commission. Discussion followed.

Selectman Trindade moved that the Board recommend Article 9; Chairman Foresto seconded. No further discussion. VOTE: 3-1-0 -- Crowley oppose.

Article 10-- Appropriation: FY13 Water Enterprise Fund: Ms. Kennedy stated this article reflects salaries, expenses and debt as well as indirect costs which are charged back to the department.

Selectman Trindade moved that the Board recommend Article 10; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Article 11 -- Appropriation: FY13 Sewer Enterprise Fund:

Selectman Trindade moved that the Board recommend Article 11; Selectman Crowley seconded. Selectman Espinosa asked if the current rate structure supports this amount. Ms. Phillips responded the rates will have to be increased \$0.53/100 cubic feet. VOTE: 4-0-0.

Article 12 – Appropriation: FY13 Solid Waste Enterprise Fund:

Selectman Trindade moved that the Board recommend Article 12; Selectman Espinosa seconded. It was clarified that rates are not changing. VOTE: 4-0-0.

Article 13 – Appropriation: FY13 Ambulance Enterprise Fund:

Selectman Trindade moved that the Board recommend Article 13; Selectman Espinosa seconded. It was noted that there is a surplus of \$194,000. The purchase price for the ambulance will be borrowed. VOTE: 4-0-0.

Article 14 -- Appropriation: Community Preservation Committee: Ms. Kennedy reported that the Moderator does not want numbers in the article as it is too soon to know what the numbers will be. The committee is still considering projects for funding and the numbers can change. His preference is that the actual amounts be included in the motion presented at Town Meeting. The Board opted to wait until more up-to-date information was available.

Selectmen Trindade moved that the Board vote its recommendation for Article 14 as TO BE DETERMINED; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Article 15—Appropriation: Thayer Project Funds:

Selectman Trindade moved that the Board recommend Article 15; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Article 16 -- Lease: Roadway Operation and Maint. Equipment: Ms. Kennedy stated the lease will have to be approved at Town Meeting, but the lease has not been determined yet. Chapter 90 funds will be used. Mr. Holder confirmed that Chapter 90 allows for expenses for roadways plus the equipment to service roadways. It is a five-year lease-to-own agreement.

Selectman Trindade moved that the Board recommend Article 16; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.

Article 17 -- Revolving Accounts: Annual Authorization:

Selectman Trindade moved that the Board recommend Article 17; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Article 18 -- Appropriation: Medway 300th:

Selectman Trindade moved that the Board recommend Article 18; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Article 19 -- Appropriation: Library – Books and Materials:

Selectman Trindade moved that the Board recommend Article 19; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 20 -- Approve Settlement: Sewer Ext. Project Claim:

Selectman Trindade moved that the Board recommend Article 20; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Ms. Kennedy suggested the remaining balance of funds (approximately \$30,000) could be used to augment funds for repaving West Street or any legal expenses attached to that.

Article 21 -- Land Acquisition: Adams/Winthrop St Properties:

Selectman Trindade moved that the Board recommend Article 21, contingent upon recent negotiations; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 22 -- Eminent Domain: Brentwood Drainage Project: Mr. Holder stated that these easements were never accepted by the Town and now they can be taken by eminent domain. The easements are listed on their property deeds so this action should not be a surprise.

Selectman Trindade moved that the Board recommend Article 22; Selectman Espinosa seconded. Mr. Holder clarified that this is a necessary project. They will be installing a larger pipe to accommodate greater stormwater flow. The design team has gone out to review all the sites, noting that some things (i.e., sheds) may need to be moved in order to lay new pipe. VOTE: 4-0-0.

Article 23 -- Land Transfer: Lovering St:

There was brief discussion on the need for this article. Mr. Holder explained that the property in question is landlocked with no access other than a water easement. The abutter would like to create lots for his family members. If the Town sells a portion of land to the abutter, the abutter can create building lots with acceptable frontage, and the Town maintains the easement.

Selectman Trindade moved that the Board recommend Article 23; Selectman Espinosa seconded. No further discussion. VOTE: 4-0-0.

Article 24 -- Amend General By-laws: Community Preservation Committee:

Selectman Trindade moved that the Board recommend Article 24; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 25 – Affordable Housing Trust Composition:

Selectman Trindade moved that the Board recommend Article 25; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 26—Amend General By-laws: New Article to Fingerprint Certain Prospective Licensees:

Selectman Trindade moved that the Board recommend Article 26; Selectman Espinosa seconded. It was noted that Town Counsel's opinion is that the decision to fingerprint should be at the discretion of the Police Chief. VOTE: 4-0-0.

Article 27 – Charter Amendment: Appointment of Water and Sewer Commission:

Selectman Trindade moved that the Board recommend Article 27; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Article 28 – Charter Amendment: Appointment of Board of Health:

Selectman Trindade moved that the Board recommend Article 28; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Zoning Articles 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48:

Selectman Trindade moved that the Board recommend Zoning Articles 29 through 48; Selectman Espinosa seconded. Brief discussion followed. VOTE: 4-0-0.

Article 49 -- Corporate Personhood Resolution

Selectman Trindade moved that the Board NOT RECOMMEND Article 49; Selectman Crowley seconded. It was the Board's view that the Town Meeting Warrant was not the appropriate venue for such action. VOTE: 4-0-0.

At this time, it was announced that the remaining balance of the high school construction amount is around \$46,000, and it was suggested to appropriate that amount to the development and upgrade of Hanlon Field. Doing it at the Fall Town Meeting allows time to consult with the school. Ms. Phillips clarified that because the funds were borrowed, any action involving those funds has to come to a Town Meeting vote.

Discussion -- Health Care Expense:

Ms. Kennedy reported that the Insurance Advisory Committee was able to secure a zero-percent increase in health care insurance expenses. The consultant is on the agenda for April 17 to discuss the process, comparative analyses, etc. The proposed FY13 budget lists a line item for this expense which included an anticipated increase of \$349,045. Ms. Kennedy suggested the following options: not spend the funds and somehow return to taxpayers, or appropriate it for something else. Selectman Crowley expressed concern that giving it back (reduction in property tax) will create only a short term effect and residents will wonder why their taxes went up the following year. It was also noted that returning it in the form of reduced taxes does not affect all taxpayers across the board. Discussion followed.

Selectman Espinosa moved that the Board authorize the disbursement of \$349,045 to taxpayers in the form of reduced property taxes; Selectman Crowley seconded. No further discussion. VOTE: 1-3-0 – Crowley, Foresto and Trindade, oppose.

Action Items from Previous Meeting:

Due to the lateness of the hour, the Board postponed its discussion of Action Items.

Approval of Warrants

Selectman Crowley, Clerk, read aloud Warrant 12-40, dated 4/05/12, presented for approval:

12-40 Town Bills	\$2,509,387.42
Total	\$2,509,387.42

Selectman Trindade moved that the Board approve Warrant 12-40 in the amount of \$2,509,387.42, as submitted; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Town Administrator's Report:

Ms. Kennedy expressed condolences of families of John Garvey and William Choate following a tragic accident, and heartfelt thanks to the public safety staff and the Department of Public Services to save these people. She noted that Police Chief Tingley indicated it was one of the worst accidents in a long time. Counseling services will be offered to staff.

Additionally, Ms. Kennedy announced the passing of Martha Wingate, who had worked for the Town for 27 years, some of it for the Police Department. Ms. Wingate passed away on Sunday following a long illness.

Ms. Kennedy announced that a new Health Agent has been hired. Ms. Stephanie Bacon, a resident of Rutland, MA, will start work on April 16.

Relative to the Town Meeting Warrant process, Ms. Kennedy reported that the Finance Committee is interested in making changes. Instead of printing many copies, it was suggested to use a communications program such as Constant Contact or other electronic means to notify residents that the Warrant will be on the website. A small number of hard copies will be made available. Residents would be notified of the change by postcard, which can be an effective way to solicit email addresses from residents. Selectman Crowley expressed concern about residents that do not have computers. A savings of \$2,000-\$3,000 does not seem to be enough to forgo the traditional printing. Brief discussion followed.

There was brief discussion of ballot questions for the Annual Town Election. It was noted there was still time to get them on the ballot.

Selectman Trindade moved that the Board of Selectmen request the Town Clerk to include the following non-binding questions on the Town Election ballot:

- (1) Do the residents of the Town of Medway want to consolidate the existing Maintenance Departments for the Town and for the Schools into one entity for the purpose of maintaining all Town buildings?*
- (2) Do the residents of the Town of Medway wish the Town to consider an electronic version of the Warrants for Annual Town Meeting, Fall Town Meeting, and any Special Town Meetings in order to secure the cost savings of doing so?*

Selectman Crowley seconded. No discussion. VOTE: 3-1-0 – Foresto, oppose.

Selectmen's Reports:

Due to the lateness of the hour, this matter was postponed until the next meeting.

Approval of Minutes:

The Board reviewed draft minutes of meetings held on November, 14, 2011; November 15, 2011 (morning); November 15, 2011 (evening); December 5, 2011; December 8, 2011; and December 19, 2011.

Due to the lateness of the hour, review of the minutes was postponed until the next meeting.

**At 10:26 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion.
VOTE: 4-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
April 11, 2012, 6:45 pm
Medway High School – Room 111-A
88 Summer Street**

Present: Chairman John Foresto, Selectman Dennis Crowley; and Selectman Glenn Trindade. Selectman Richard Dunne and Selectman Andy Espinosa were absent.

Also present: Suzanne Kennedy, Town Administrator; Tom Holder, Director, Department of Public Services; Melanie Phillips, Finance Director.

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

Approval – Emergency Transfer Request – Health Dept. Salary Account:

The Board reviewed an Emergency Transfer Request, dated April 9, 2012, from the Health Department.

Ms. Suzanne Kennedy, Town Administrator, explained that there was not enough in the Health Department budget to pay associated costs (accrued vacation) for the retiring staff member. The retirement was unexpected and therefore not budgeted. Brief discussion followed.

Selectman Crowley moved that the Board approve the Emergency Transfer Request, dated April 9, 2012, in the amount of \$10,297.56 to pay out accrued vacation for a retiree; Selectman Trindade seconded. No discussion. VOTE: 3-0-0.

Re-Opening of Annual Town Meeting Warrant:

Selectman Trindade moved that the Board re-open the Annual Town Meeting Warrant; Selectman Crowley seconded. No discussion. VOTE: 3-0-0.

Discussion of Warrant Articles – Fingerprinting Bylaw; Brentwood Drainage; Briggs Property Acquisition:

The Board reviewed revised article language for Article 22 – Land Acquisition: Briggs Property.

After brief discussion, Selectman Trindade moved to withdraw Article 27 – New Bylaw to Fingerprint Certain Prospective Licensees from the Annual Town Meeting Warrant; Selectman Crowley seconded. No discussion. VOTE: 3-0-0.

Discussion followed on Article 23 --Brentwood Drainage Project, and the possibility of removing it from the Warrant. Mr. Tom Holder, Director, Department of Public Services, briefly explained that Town Counsel has indicated the Town does not have clear rights to these properties, and recommended removing the article while doing the necessary research. The article could be introduced at Fall Town Meeting. Ms. Kennedy clarified that Town Counsel merely said the Town did not have clear title; no mention was made about removing the article from the Warrant.

Selectman Trindade expressed concern that funds should be set aside for associated costs. Mr. Holder responded that the project can be managed with available funds. However, if property owners resist,

that could change. Selectman Crowley was in favor of moving forward with the article as doing so may push residents to take part. He suggested that additional language could be added about working with the residents. He expressed concern that the project may lose ground given the other DPS projects in the works. Mr. Holder confirmed that he is prepared to take the money out of the DPS operating budget.

After discussion, the Board agreed to leave the article on the Warrant. The Department will have a meeting with the residents after Town Meeting.

Regarding Article 22 – Land Acquisition: Briggs Property, it was noted that the Warrant the Board had before them this evening has the updated article in it. Brief discussion followed.

Selectman Trindade moved that the Board close the Annual Town Meeting Warrant; Selectman Crowley seconded. No discussion. VOTE: 3-0-0.

Update on the Fire Chief Search: Ms. Kennedy stated it has been narrowed down to the top three candidates. Chairman Foresto asked Ms. Kennedy to consider overlap of the positions for a short period of time. He suggested allowing the final candidate and the current chief decide if there needs to be one.

At 7:04 PM Selectman Trindade moved to adjourn to allow the Board to attend the Finance Committee's Public Hearing; Selectman Crowley seconded. No discussion. VOTE: 3-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
April 17, 2012, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: John Foresto, Chairman; Selectmen: Andrew Espinosa, and Glenn Trindade. Selectman Dennis Crowley and Selectman Richard Dunne were absent.

Also Present: Rich Boucher, Director, Information Technology; Sue Ellis, Director, Human Resources; Tom Holder, Director, Department of Public Services; Missy Dziczek, Director, Council on Aging; Joanne Rousseau, Assistant Treasurer.

There being a quorum, Chairman Foresto called the meeting to order at 7:02 PM. He then led the assembly in the Pledge of Allegiance.

Public Comment: The Board welcomed Ryan Lawton of Scout Troop 367. He is observing tonight's meeting as part of his Eagle Scout requirements.

Discussion – Health Insurance Costs, EBS Foran Insurance and Advisory Services, Inc.:

There were no associated materials.

Present: Kenneth Lombardi and Edward W. Byrnes, Jr., EBS Foran Insurance.

Mr. Kenneth Lombardi briefly stated that the Town's health insurance program renews July 1, while the senior program renews in January. All programs are provided by Tufts, and he was pleased to report that his agency was able to negotiate a rate hold so there is no increased cost to employees. During the last couple of renewals the Insurance Advisory Committee has been very helpful in assisting them to help get the costs down. The initial proposal from Tufts contained an increase of 5.8%. His colleague, Mr. Edward Byrnes, was able to research some supportive historical information relative to Medway's claims that helped eliminate the increase. New legislation also allows them to help communities implement specific modifications to their health care plans, for example, increase the co-pays which would decrease the Town's share of the costs. The plan could also be moved into the Group Insurance Commission (GIC) where there can be potential savings over several years' time. Discussion followed.

Responding to a question from Chairman Foresto, Mr. Lombardi stated they contacted Harvard Pilgrim regarding the claims they would have been processing for several months after the end date of coverage. This provided important information to Tufts for its trend analysis, and resulted in a better plan formula for Medway. He said plans are typically changed by increasing the deductible amounts or the co-pays in order to reduce municipal costs. Mr. Byrnes added that some communities are large enough that their rates are set according to their claims experience.

The Board thanked Mr. Lombardi and Mr. Byrnes for coming in, and expressed thanks to the Human Resources Director, the Town Administrator and the Insurance Advisory Committee for their help in this matter.

Presentation – New Website, Information Services Department:

Utilizing a PowerPoint presentation, Mr. Rich Boucher, Director, Information Technology, briefly reviewed the proposed changes to the new website utilizing Virtual Town Hall. Photographic images change from screen to screen in the main section, but disappear in the individual department areas, freeing up more space for information. Overall, there will be numerous new pieces of information, and public access to a lot of information including GIS and other technological advancements. Residents will be able to pay their municipal bills online, as well as sign up for news from specific departments via email (similar to Constant Contact).

Responding to a question from Selectman Espinosa regarding content management, Mr. Boucher stated each department has access to their portion of the site, and they will be in charge of monitoring their own areas.

Selectman Trindade suggested placing reminders on each page that would encourage residents to sign up for specific groups, i.e., they will automatically get that group's agenda or minutes when the information is posted. He also asked if the local sports groups could put their information on the site. Mr. Boucher responded that he would have to check the Town's web policy to find out what flexibility there is relative to linking with other groups.

Mr. Boucher indicated the initial cost of the program was \$7,500 to get started, then a fee of \$3,300 each year. If schools are added, the Town would have to pay additional costs to pull them in.

Mr. Tim Lawton, Scoutmaster, Troop 367, asked if there was any plan to integrate community groups like the Scouts. Mr. Boucher stated he would have to check the web policy. Mr. Lawton suggested that, for the benefit of people moving into the community, it would be nice to have that kind of information on the Town's website, perhaps linking to a section on community groups.

Mr. Boucher stated he hopes to have the website up and running after this weekend, once all the information from departments is updated.

Authorization – Contract for Transit Service to the Elderly/Disabled and Operation of Shuttle Service to Norfolk Commuter Rail Station, Greater Attleboro-Taunton Regional Transit Authority --\$96,000:

The Board reviewed the following information: (1) Email, dated April 2, 2012, from Town Counsel; (2) Letter, dated April 10, 2012, from Town Counsel; (3) Contract Summary Memo from M. Dziczek; and (4) Contract, effective July 1, 2012, between Greater Attleboro-Taunton Regional Transit.

Ms. Missy Dziczek stated the GATRA contract, effective July 1, finally came in. Several things in the contract were adjusted a while ago, and it took this long for it to come back to the Town. Ms. Kennedy stated the GATRA folks were reticent to take the advice of Town Counsel. In time, a different vendor may become necessary. It is a popular service, and the bus is full most of the time.

Ms. Dziczek stated their quarterly meeting is coming up in May. Ms. Kennedy stated the Town received some funds from SWAP to conduct a study to see if an inter-regional collaborative would be feasible for Medway.

Selectman Trindade moved that the board authorize the Chairman to execute a contract with Greater Attleboro-Taunton Regional Transit Authority for transit service to the elderly and disabled and

operation of a shuttle service to the Norfolk Commuter Rail Station in an amount not to exceed \$96,000; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

Approval – Massachusetts Water Pollution Abatement Trust Interim Loan, Stormwater Management - \$500,000:

The Board reviewed the following information: (1) Town of Medway Bond Issue document, Loan Amount of \$500,000; (2) Vote of the Board of Selectmen certification; (3) Town of Medway Interim Loan Note, dated April 15, 2012; and (4) Town of Medway \$500,000 Interim Loan Note Certificate.

Ms. Kennedy stated the Board originally approved this contract subject to review by Town Counsel. She noted that research revealed that a specific motion had to be utilized in order to move forward.

Selectman Trindade moved that the Board of Selectmen approve the issuance of a bond or bonds in an aggregate principal not to exceed \$500,000 pursuant to Chapters 29C and 44 of the General Laws and a vote of Town Meeting passed June 13, 2011 as Article 6 for an integrated water resource management plan; that in anticipation of the issuance of the Bond, the Treasurer is hereby authorized to issue an interim loan note or notes in an aggregate amount not to exceed \$500,000. He moved that each Bond or Note is to be issued as a single registered security and sold to the Massachusetts Water Pollution Abatement Trust and the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Note or Bond and is authorized to execute a Loan Agreement with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidence by their execution of the Bonds and Notes. He further moved that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed and that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement and the Project Regulatory Agreement relating to the project; Chairman Foresto seconded. No discussion. VOTE: 2-1-0 – Selectman Espinosa oppose.

For benefit of the viewers, Mr. Tom Holder, Director, Department of Public Services, explained the funds would be used for stormwater management, specifically, to evaluate the Town's stormwater and look at the overall wastewater system, relative to the stormwater permit issued by the EPA.

Approval – Contract for Main and West Street Water Main Installation, Oliviera Construction, Inc. -- \$1,934,950.83:

The Board reviewed the following information: (1) Memo, dated April 12, 2012, from Tom Holder, summarizing the contract; and (2) Contract document, project completion date November 2012.

Mr. Tom Holder briefly reviewed the bid process for the water main replacement project. It went out to bid, with bids opened on March 15, 2012. The low bid was from Oliviera Construction.

Mr. Holder explained how the DPS would handle traffic detours during construction. On a weekly basis there will be updates on the project schedule and status posted on the website. Each Friday he will post a schedule for the following week. Once the contract is signed, the contractor will get a Notice to Proceed followed by several housekeeping tasks including notifications to the public. Temporary bypass pipes will be installed in order to keep water flowing. Each segment of new pipe must be disinfected,

and water must be tested by a lab for possible contaminants. Once the results are in and the water is clean, then the connection will be activated. It is most practical to perform this type of work at night to avoid huge traffic impact. Signage will be utilized to close entrances or exits to businesses where work is being done, and direct them toward the alternate entrances or exits.

Selectman Espinosa expressed concern that this project might be confused with the Route 109 redesign project. He would like it made known that it is not, but the Town could not afford to wait until that project to do the water main replacement. Mr. Holder clarified that the water main dates from approximately 1921, and the Route 109 project needed a commitment on the water main replacement in order to move forward, so the two projects are connected.

Selectman Trindade moved that the Board execute a contract with Oliviera Construction Inc. relative to the installation of new water mains, service lines to curbs and hydrants along sections of Main and West Streets in an amount not to exceed \$1,934,950.83; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

Approval – Bituminous Paving, D&R General Contracting, Inc. -- \$500,000:

The Board reviewed the following information: (1) Memo, dated April 12, 2012, from Tom Holder, summarizing contents of contract; and (2) Agreement between D&R General Contracting, Inc. and the Town of Medway, along with associated documents.

Mr. Tom Holder stated the Department of Public Services puts out general maintenance contracts. This company did some work in Medway a decade ago, and they have done work with the Turnpike Authority. He indicated he is pretty confident the Town will be pleased with their work.

Ms. Kennedy suggested the Board approve the contract subject to appropriation, just for protection.

Selectman Trindade moved that the Board execute a contract with D&R General Contracting, Inc. for the road preparation and repaving of various municipal roadways in an amount not to exceed \$500,000, subject to appropriation; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

Approval – Catch Basin Cleaning Services, R.J. Gabriel Construction Company, Inc. -- \$80,000:

The Board reviewed the following information: (1) Memo, dated April 12, 2012, from Tom Holder, summarizing contents of contract; and (2) Agreement between R.J. Gabriel Construction Company, Inc. and the Town of Medway, project conclusion on February 28, 2014.

Mr. Tom Holder stated this contract will run into 2014. Responding to a question from the Board, he stated the “stuff” that is collected during the cleaning process is considered hazardous and will be disposed of appropriately.

Selectman Trindade moved that the Board execute a contract with R.J. Gabriel Construction Company, Inc. for catch basin cleaning services in an amount not to exceed \$80,000; Selectman Espinosa seconded. Friendly amendment was suggested and approved, to add the words “subject to appropriation” to the motion. No further discussion. VOTE: 3-0-0.

Action Items from Previous Meeting:

1 --Street Acceptance Process -- Ms. Kennedy stated the present policy is to accept one a year, indicating it would be Meadow Road this year.

2 -- Route 109 Project – Chairman Foresto and Ms. Kennedy will be attending a meeting tomorrow where they hope to get the project on the TIP list. There is rumor that the list may be altered which may work in the Town’s favor. Selectman Espinosa encouraged them to let the MPO know the water mains will be installed, and see if the news of that impending project helps to get the road design project moved forward.

9 -- Medway Community Farm – It was confirmed that the lease will be before Board of Selectmen at its meeting on May 7, and that farmers are only preparing the soil right now.

5 -- Strategic Planning Session – It was suggested to hold this after Town Election so that the session will be with the new Board of Selectmen.

7 -- DPS Facility – Brief discussion followed on the concept of a joint DPS facility with the Towns of Holliston and Millis.

There were no other updates.

Approval of Warrants:

Due to Selectman Crowley’s absence as Clerk, Chairman Foresto read aloud Warrant #12-42, dated 4/19/12, presented for approval.

12-42	Town Bills	\$791,101.36
	Total	\$791,101.36

Selectman Trindade moved to approve Warrant #12-42 as presented; Selectman Espinosa seconded. No discussion. VOTE: 3-0-0.

Town Administrator’s Report:

Ms. Kennedy stated she attended the Energy Committee’s meeting. The Board will be receiving a letter proposing to the Board that it recommend that there be a target reduction in energy consumption that would be included in performance evaluations with department heads. She indicated it is a complex proposal, and more information would be forthcoming. Regarding the Bellingham solar farm, she reported a consultant recommended going out to RFP on this matter. The Energy Committee will be sending a letter to this effect. It is believed that the Town can get a rate of \$0.07.

Selectmen’s Reports:

Selectman Trindade suggested there be a farewell gathering for Selectman Dunne as he will be leaving the Board of Selectmen. As Selectman Dunne is working in Long Island, New York, any event would work best over a weekend or on a Monday.

Selectman Espinosa reported that there have been many rumors that Medway Pride Day would be cancelled. Chairman Foresto responded that it will go on as planned on Saturday, May 19. He emphasized there was a strong response to the request for volunteers. He noted, however, that there is no rain date.

Chairman Foresto reported people have asked him if there was some sort of beautification process sponsored by the Town in preparation for the Medway 300 celebration. He asked Ms. Kennedy to assign it to a staff member for coordination. Mr. Tim Lawton stated he would be happy to organize participation from the Scouts.

Regarding Pond Street improvements, Ms. Kennedy stated she would find out the anticipated schedule for completion.

Approval of Minutes:

The Board reviewed draft minutes of meetings held on November, 14, 2011; November 15, 2011 (morning); November 15, 2011 (evening); December 5, 2011; December 8, 2011; and December 19, 2011.

Due to Selectman Crowley's absence, the Board postponed its review of the minutes.

**At 8:14 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion.
VOTE: 3-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
May 7, 2012, 6:30 PM**

**Sanford Hall, Town Hall
155 Village Street**

Present: Chairman John Foresto, Selectman Andrew Espinosa, Selectman Dennis Crowley, Selectman Glenn Trindade (7:01 PM) and Town Administrator Suzanne Kennedy. Selectman Richard Dunne was absent.

Also Present: Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Melanie Phillips, Finance Director; Karen Kisty, Operations Manager; and the Water and Sewer Commission.

At 6:34 PM Chairman Foresto called the meeting order and led the group in the Pledge of Allegiance.

At 6:36 PM Chairman Foresto moved to enter into Executive Session under Exemption #3 to discuss strategy with respect to collective bargaining, specifically to hear a collective bargaining update from labor counsel, and under Exemption #6 to consider the purchase, exchange, lease or value of real property, specifically, the American Legion property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to return to public session immediately following executive session; Selectman Espinosa seconded. No discussion. Roll Call Vote: 3-0-0 -- Crowley, aye; Espinosa, aye; Foresto, aye.

At 7:18 PM Chairman Foresto reconvened the public session.

Public Comment: None

Introduction – Stephanie Bacon, Health Agent:

Ms. Suzanne Kennedy, Town Administrator, introduced Ms. Stephanie Bacon, who is originally from Rutland, and most recently worked for the Town of Barre.

Ms. Bacon stated she began in civil engineering, then received the Registered Sanitarian certification to be able to do septic design, and slowly moved into the health areas. She stated she served as Health Agent in Barre for six years, finding a great deal of diversity in that kind of position, tasks ranging from inspections to emergency management. It's always interesting, in and out of the office, and she is never bored.

It was noted that Ms. Bacon began working for the Town of Medway in April. Her office hours are Monday: 12:30 PM – 5:00 PM and Tuesday – Thursday: 8:00 AM – 3:30 PM.

First Reading – Remote Participation Policy (Part of the Open Meeting Law):

The Board reviewed the following information: (1) Proposed policy on Remote Participation; (2) Guidelines for Remote Participation; and (3) Request Form.

Present: Karen Kisty, Operations Manager.

Ms. Kennedy reminded the Board it had reviewed an earlier version of this policy, and at that time, it asked for clarification on the types of transmissions. She noted this version pretty much reflects the statutes. While the statute may list additional means of transmission, Medway is limited to only telephone at this time. Discussion followed on various electronic means that could be employed over time. Chairman Foresto reminded the Board that remote participation is for limited use, not to be a substitute for attending the meeting.

Ms. Kisty, Operations Manager, stated the overarching authority is the Board of Selectmen to set the Town policy, and then the chairperson of each board of committee will decide for their own group. Chairman Foresto suggested each group be able to review the proposed policy before the Board of Selectmen adopts one.

It was agreed that the policy would be sent out to all the chairpersons for comment. The initial procedure will then be established, utilizing telephones, while continuing to look at expanded methods of communication. Selectman Trindade asked Ms. Kennedy to evaluate the existing equipment so that it meets the necessary criteria, if that task had not already been performed.

Vote – Warrant for Annual Town Election, May 22, 2012:

The Board reviewed the Warrant for the Annual Town Election for May 22, 2012.

Ms. Kennedy reminded the Board this is done for every election.

Selectman Trindade moved the Board sign the Warrant for the Annual Town Election for May 22, 2012; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Insurance Advisory Committee Recommendation on the Fiscal Year 2012 Health and Dental Insurances:

The Board reviewed an email, dated April 27, 2012, from Catherine Fitzgerald, Insurance Advisory Committee, to Sue Ellis, HR Director.

Ms. Kennedy stated this recommendation is the result of the Insurance Advisory Committee meeting with the insurance advisors. Selectman Trindade clarified for the public that the 0% increase represents a savings of over \$300,000 in the Town's FY13 budget.

Selectman Trindade moved that the Board approve the Insurance Advisory Committee's recommendation to accept the Tufts Health Plan proposal and the Altus Dental proposal for FY2013 at 0% and 1.51% increases respectively; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Authorization to Borrow (Bond Anticipated Note) -- \$4,000,000, Middle School Project:

The Board reviewed an information sheet from the Treasurer/Collector.

Present: Melanie Phillips, Finance Director.

Ms. Phillips briefly explained that the repair project is ahead of schedule, incurring costs earlier in the timeline than anticipated, and existing cash flow will not be able to keep up. Unless the Town borrows

some money, there would be a deficit at the end of the year. The Town can borrow \$4 million now to cover the anticipated deficit, and borrow more later if it becomes necessary.

Selectman Trindade moved that the Board authorize the Treasurer to petition the Massachusetts Department of Revenue for permission to borrow \$4,000,000 as a Bond Anticipation Note for the Town of Medway's Middle School Repair Project; Selectman Espinosa seconded. Selectman Trindade amended his motion, pointing out that it is not the School Department's Middle School Repair Project, but the Town of Medway's Middle School Repair Project. Brief discussion on the project followed. VOTE: 4-0-0.

Water Rates Discussion:

Present: Tom Holder, Director, Department of Public Services; William Donahue, Superintendent, Water and Sewer Department; Water and Sewer Commission: Chan Rogers, Chair; Members: Robert Wilson and Peter Gluckler.

Mr. Tom Holder stated the Water and Sewer Commission had scheduled a public hearing for tonight, but cancelled it in order to meet with the Board of Selectmen. They were anticipating a written opinion from Town Counsel regarding increases in water rates, such as a water capital charge of approximately \$100 per year. This charge may have been implemented when the wells were being built, and has been collected ever since to help pay debt service costs. Unfortunately, residents are feeling that they are paying for something that is not based on their usage. It has been removed from water rate calculations. This charge generated \$303,000 in revenue last year. An 11% increase in water rates was proposed for FY13, with a reduced capital charge. Discussion followed. Mr. Holder asked the Board to look at expenditures and figure out another way to cover them with the revenue coming in. It is expected that those residents and businesses that use more water will pay more based on their higher usage. He believes the new rates are defensible.

There was brief discussion on how other communities handle their water rates and fees. Mr. Holder indicated the capital charge is known by various names in other towns.

Selectman Crowley expressed disappointment that he had to read about the rate increases in the paper when the Board has been working hard to consider rate changes before releasing them to the public. He said Board of Selectmen is fielding questions, but have no answers, and have been left out of the loop. Discussion followed. Selectman Espinosa stated that, at the very least, the Board needs to be able to understand the changes in order to respond to questions.

Selectman Trindade reported he had had a conversation with the Town Meeting Moderator about surcharges, and would like to be certain that any changes going forward will not generate legal issues. The Town has tried to use a Best Practices Management approach when managing projects. He asked if the Town will have to account for prior years and if it is on solid legal ground.

Selectman Crowley suggested revisiting the matter at a later date. He expressed concern that there is one flat commercial rate for water usage, and now a three-tier rating system is being proposed. Mr. Holder confirmed that the three-tier system is already a year old. Selectman Crowley also expressed concern about a significant increase and the impending increases related to the Charles River Pollution Control facility improvements.

The Board welcomed the Water and Sewer Commissioners to the meeting and asked for their thoughts on these matters. Mr. Chan Rogers, Chair, stated the Commission is responsible, and they believe they have reacted very well. He noted that Medway has some of the lowest water rates in the area. He stated the Town has installed new automatic meters and replaced a water tank that is now in operation. He noted water mains are being replaced. The rates being proposed reflect the costs of these necessary projects, which were put off for far too many years. The system is now operating with efficiency.

Selectman Espinosa suggested that a strategic plan would implement changes as well as increased rates over a period of time, hopefully to spread the impact of rate increases over a longer period of time.

Chairman Foresto suggested establishing a working group to look at the numbers and understand the rates. He suggested further that the Commission submit new numbers to the Board a couple days ahead of time, and then the two groups meet to discuss. It was decided that the matter will be revisited at the next meeting, and that there would be no increases until this discussion is concluded.

Authorization of Chairman to Execute Contract with Clogbusters Underground Technology, Inc. for Sewer Jet Cleaning and Sewer Camera Inspection Services, \$10,000:

The Board reviewed the following information: (1) Memorandum, dated May 3, 2012, from the DPS Director; and (2) Proposed Contract.

Selectman Crowley asked about the wide discrepancy between the bids. Mr. Tom Holder, Director, Department of Public Services, did not offer one, but stated that this firm has worked with the Town before, and, in fact, held the previous contract. Selectman Espinosa wondered how this work fits into the Town's Master Plan.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Clogbusters Underground Technology, Inc. for sewer Jet cleaning and sewer camera inspection services in an amount not to exceed \$10,000, with year two of the contract to be subject to appropriation; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract with Murray Paving and Reclamation, Inc. for Pavement Grind, Grade and Roll, Berm Mix Installation and Bituminous Concrete Repair, \$50,000:

The Board reviewed the following information: (1) Memorandum, dated May 3, 2012, from the DPS Director; and (2) Proposed Contract.

Mr. Tom Holder, Director, Department of Public Services, stated this company does a lot of different things, not big paving projects. For example, when catch basins are being repaired, the DPS crew completes the repair, then this company finishes it off. It comes in to do a lot of little projects at one time, taking one or two days to complete their work.

Selectman Trindade moved the Board authorize the Chairman to execute a contract with Murray Paving and Reclamation, Inc. for pavement grind, grade and roll, berm mix installation and bituminous concrete repair in an amount not to exceed \$50,000, with year two of the contract to be subject to appropriation; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract with Weston & Sampson Engineers, Inc. for Water Main Construction Services:

The Board reviewed the following information: (1) Memorandum, dated May 3, 2012, from the DPS Director; and (2) Proposed Contract.

Present: Tom Holder, Director, Department of Public Services.

There was brief discussion on the contract, hourly rates, and potential for contract revision.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Weston & Sampson Engineers for water main construction services for an amount not to exceed \$200,000; Selectman Espinosa seconded. Discussion followed. Selectman Trindade amended his motion as follows: . . . that the Board authorize the Chairman, after discussion with the Town Administrator and a thorough review of the contract, to execute a contract with Weston & Sampson for water main construction services for an amount not to exceed \$200,000. The purpose is to make sure the Town has all of the contract terms in place before signing. Selectman Crowley asked that the rates be attached to the contract. Chairman Foresto seconded the amendments. VOTE: 4-0-0.

Update on Pond Street:

Selectman Trindade asked Mr. Holder for an update on the work being done on Pond Street. Mr. Holder responded that mailboxes will be relocated to the west side of the street, and that letters informing residents of this would be sent. The work should be completed by the first or second week of June. Chairman Foresto asked that the Board see the letter before it goes out to residents.

Approval – Amendment to Medway Community Farm Lease of Town-Owned Land:

The Board reviewed the following information: (1) Medway Community Farm Liaison Committee draft minutes; (2) Summary of farm plan for Adams Street property; (3) Maps; (4) Email, dated March 5, 2012, from Town Counsel; and (5) Proposed lease amendment.

It was noted that this matter was tabled at the March 19, 2012 meeting to await input from the Community Farm Liaison Committee. Selectman Trindade provided a brief explanation for the viewing public.

Selectman Trindade moved that the Board approve an amendment to the Lease Agreement between the Town and the Medway Community Farm, Inc. allowing for the Farm to lease additional property located at 40-46 Adams Street through December 13, 2013 under the same terms and conditions as stated in the Lease Agreement; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Christina Clarke Genco Foundation Mother's Day Memorial Bike Ride, May 13, 2012:

The Board reviewed the following information: (1) Request, dated April 18, 2012; and (2) Memo, dated April 26, 2012, from the Police Chief, outlining his recommendations.

Selectman Trindade moved that the Board approve the Christina Clarke Genco Foundation Mother's Day Memorial Bike Ride to be held on Sunday, May 13, 2012, with the condition that the organization hire two detail officers to assure the safety of the participants and movement of traffic during the event; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Approval – Emergency Transfer Request- Finance Committee, \$536.95:

The Board reviewed an Emergency Transfer Request, dated May 3, 2012.

Ms. Kennedy stated this amount reflects the unknown cost overrun connected with the printing of the warrant, mostly due to increased weight of the document. There are 22 zoning articles this year, which significantly increases the size of the warrant.

Chairman Foresto stated he does not like the word “Emergency” for these kinds of matters. Ms. Kennedy responded that staff is working on updating the document.

Selectman Trindade moved that the Board approve a Finance Committee emergency transfer request in the amount of \$536.95 to cover the cost of printing and mailing the Finance Committee Report to Town Meeting; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Action Items from Previous Meeting:

The Board reviewed the Action Items spreadsheet from the previous meeting.

Regarding a Strategic Planning, Ms. Kennedy stated she is planning to do it after the Town Election so that newly elected individuals can be included. Chairman Foresto stated he would prefer to do it on a couple of weekday mornings rather than a Saturday during the summer months. Ms. Kennedy will work on putting that together for sometime in late May or early June.

Route 109 Design Project, -- Selectman Espinosa stated he talked to Paul Yorkis about how to get the \$400,000 that was earmarked for this project some time ago. He expressed concern that if the funds are not released, the engineering design company will not move forward.

Approval of Warrants:

Selectman Crowley, Clerk of the Board, read about Warrant #45, dated 5/10/12, presented for payment:

12-45S	School Bills	\$ 269,177.77
12-45P	Gross Payroll Town	\$ 213,487.66
12-45SP	Gross Payroll School	\$ 715,587.29
	TOTAL	\$1,198,252.72

Selectman Trindade moved to approve Warrant 45 as presented, in the amount of \$1,198,252.72; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Town Administrator’s Report:

Ms. Kennedy reminded the Board of the press releases last year regarding the LEAP program (Local Energy Action Plan). She stated this is a program that does not offer financial support, but instead offers technical assistance to develop and implement programs. It involves a two-year planning process for both commercial and residential applications.

Regarding the Town’s recycling program, Ms. Kennedy reported that the Department of Public Services will soon be issuing a survey to commercial customers to determine their interest in participating in the Town’s recycling program.

Ms. Kennedy reported she attending a meeting of the Energy Committee a few weeks ago, and there spoke with a consultant regarding a solar farm project as an alternative to Kearsage. He was very knowledgeable and well received by the committee. If the committee was interested in pursuing a solar farm project, he suggested going out to RFP for a lower kilowatt price. She indicated the Town is presently paying \$0.13 per kilowatt and theorized that could be lowered to \$0.07 or \$0.08 per kilowatt hour. She will work with him to put the RFP together.

Selectmen's Reports:

Selectman Trindade had no report.

Selectman Espinosa expressed disappointment that information on the water main construction project is not on the front page of the new Town website, when he was assured it would be. A link to a full report should be included.

There was brief discussion on Article 49, and the need for a positive motion at Annual Town Meeting.

Regarding Annual Town Meeting, Chairman Foresto stated the Board will need to decide which Selectman will speak to which article. He agreed to work on that with Ms. Kennedy and it will be reviewed at the pre-Town Meeting Selectmen's meeting.

Selectman Crowley asked for an update on the Fire Chief search. Ms. Kennedy responded that this Saturday will be the assessment center and the Board is welcome to attend. BadgeQuest is the firm handling the assessment center. Interviews will likely follow based on assessment results.

Selectman Crowley asked if there had been a decision on overlap between the two chiefs. Ms. Kennedy responded there has not been one yet, noting it would most likely be a function of availability.

Responding to a question from Selectman Crowley about the ambulance contract, Ms. Kennedy stated there have been no further meetings since it was last reviewed. She noted she has been putting her energies into the search for the new chief, adding there is no risk of liability with the present ambulance services. She stated further she would like the new chief to be able to weigh in on the discussion.

Selectman Crowley wondered if there would be a retirement ceremony for Chief Trufant as he has served the Town for many years. Chairman Foresto stated the Fire Department will be doing something, Ms. Kennedy will have something at Town Hall, and there will also be recognition at Annual Town Meeting.

Selectman Trindade asked that advance notification be sent to those residents whose streets will be repaired so they can plan accordingly. Selectman Crowley asked that notifications on sidewalk construction or repair be included.

Approval of Minutes:

The Board reviewed draft minutes of meetings held on November 14, 2011; November 15, 2011 (AM); November 15, 2011 (PM); December 5, 2011; December 8, 2011; and December 19, 2011.

Selectman Trindade moved to accept the minutes of November 14, 2011, as drafted; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved to accept the minutes of November 15, 2011 (AM), as drafted; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved to accept the minutes of November 15, 2011 (PM), as drafted; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved to accept the minutes of December 5, 2011, as drafted; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved to accept the minutes of December 8, 2011, as drafted; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Selectman Trindade moved to accept the minutes of December 19, 2011, as drafted; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

At 8:55 PM Selectman Trindade moved to adjourn; Selectman Espinosa seconded. No discussion. VOTE: 4-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
May 14, 2012, 6:00 PM
Medway High School, Room A-111
88 Summer Street**

Present: John Foresto, Chairman; Selectmen: Dennis Crowley, Richard Dunne (6:06), Andrew Espinosa, and Glenn Trindade (6:04).

Also Present: Suzanne Kennedy, Town Administrator; Karen Kisty, Operations Manager; Melanie Phillips, Finance Director; Barbara Saint Andre, Town Counsel; Allen Tingley, Police Chief.

There being a quorum, Chairman Foresto called the meeting to order at 6:03 PM, and led the assembly in the Pledge of Allegiance.

Authorization to Expend Grant Funds – FY2009 EMPG Grant (Emergency Management) -- \$4,000:

The Board reviewed the following information: (1) Authorization request form; and (2) EMPG contract information.

Police Chief Allen Tingley briefly explained that there is a June 20, 2012 deadline to spend the funds from this grant. He stated the suggested purchase items would include emergency management equipment consisting of an emergency generator, a lighting system, Apple I Pad 2, shelter cots and shipping costs for those items. Brief discussion followed.

Selectman Espinosa moved that the Board authorize the expenditure of the FY2009 EMPG Grant in the amount of \$4,000; Selectman Trindade seconded. No discussion. VOTE: 4-0-0.

Authorization to Borrow – Bond Anticipation Note for Deficit Financing -- \$700,000:

The Board reviewed an information sheet provided by the Town Treasurer.

Ms. Melanie Phillips, Finance Director, stated the bonds are up for renewal, and approval by the Board is necessary in order to borrow \$700,000.

Selectman Trindade moved that the Board of Selectmen authorize the Treasurer to petition the Massachusetts Department of Revenue for permission to borrow a total of \$700,000 as a renewal Bond Anticipation Note for Deficit Financing; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

At 6:08 PM Selectman Trindade moved that the Board enter 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 (Exemption 3) – Briggs Property, and, further, to return to public session immediately upon adjournment; Selectman Crowley seconded. No discussion. Roll call vote: 5-0-0 – Foresto, aye; Espinosa, aye; Trindade, aye; Crowley, aye; Dunne, aye.

At 6:33 PM Chairman Foresto reconvened the public session.

Discussion -- Town Meeting Articles:

The Board reviewed the following information: (1) Suggested motions relative to Special Town Meeting Warrant; (2) Special Town Meeting Warrant; (3) Suggested motions relative to Annual Town Meeting Warrant; and (4) Annual Town Meeting Warrant.

After discussion it was agreed to allow each group to speak to its own capital projects as they would have the most up-to-date information.

Regarding the Brentwood article, Ms. Barbara Saint André, Town Counsel, stated the title work is being done right now. Mr. Mike Marsh should have the titles back sometime this week or next. She cautioned that there might be a few easements and advised going forward with the article. Selectman Trindade wondered if it should be publicly announced that the Town is researching existing easements before moving forward with the project. Ms. Saint André agreed it would be good to be up front about it. As the state will require that the titles be certified, that is a good explanation for making it public. Ms. Kennedy added that Tom Holder, Director, Department of Public Services, will explain about the upcoming neighborhood meetings. Selectman Crowley expressed concern about using the words "eminent domain". It was agreed that Selectman Trindade would take the lead on this matter.

Regarding 24 Lovering Street, Selectman Crowley expressed concern over the amount of the appraisal and volunteered to get some more numbers for comparison.

Selectman Trindade also expressed concern that this matter was not made known until the Board of Selectmen began preparing the warrant.

Approval of Warrants:

Warrant #12-46, dated 5/18/12, was submitted for approval:

12-46	Town Bills	\$413,590.43
	TOTAL	\$413,590.43

Selectman Trindade moved to approve the Warrant as presented; Selectman Espinosa seconded. No discussion. VOTE: 5-0-0.

At 6:40 PM Selectman Trindade moved to adjourn to allow the Board to attend Special Town Meeting and Annual Town Meeting; Selectman Espinosa seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
Monday, June 4, 2012, 6:30 PM**

**Sanford Hall, Town Hall
155 Village Street**

Present: Andrew Espinosa, Chair; Glenn Trindade, Vice-Chair; John Foresto, Clerk; Dennis Crowley (6:55 PM) and Richard D'Innocenzo.

Also Present: Suzanne Kennedy, Town Administrator; Barbara Saint Andre, Town Counsel; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Karon Skinner-Catrone, Conservation Agent; Stephanie Bacon, Health Agent.

At 6:33 PM Chairman Espinosa called the meeting to order and led the group in the Pledge of Allegiance.

At 6:34 PM Selectman Trindade moved that the Board enter executive session under Exemption 6 to consider the purchase, exchange, lease or value of real property, specifically, the Briggs property, if the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body and to return to public session immediately following executive session; Selectman Foresto seconded. No discussion. Roll Call Vote: 4-0-0 – Espinosa, aye; Trindade, aye; Foresto, aye; D'Innocenzo, aye.

At 6:50 PM Selectman Trindade moved that the Board take a brief recess before returning to public session; Selectman Foresto seconded. No discussion. Roll Call Vote: 4-0-0 – Espinosa, aye; Trindade, aye; Foresto, aye; D'Innocenzo, aye.

At 7:00 PM Chairman Espinosa reconvened the public session.

Public Comments: None

Authorization of Chairman to Execute Contract with Kleinfelder Northeast, Inc. for Integrated Water Resources Management Plan (1WRMP) -- \$499,923:

The Board reviewed the following information: (1) Memorandum, dated May 29, 2012, from the Department of Public Services; and (2) Proposed Contract with Kleinfelder Northeast, Inc.

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

Ms. Suzanne Kennedy, Town Administrator, asked the Board if there were any questions regarding the execution of this contract, specifically, regarding the timeline for compliance, noting end date mandated by the Federal government has not been extended out to her knowledge. She added that, as it is an election year, things may not change for a few months.

Selectman Foresto stated he had reviewed his notes from the January meeting, asking if the public comment period has closed, and if there were any changes to the law resulting from those public comments. Mr. D'Amico responded that nothing official has come out. He stated that he believes the mandate will remain, but communities may be given a little more time to comply.

Selectman Crowley asked about the funding sources. Ms. Kennedy responded that the funding from three sources was appropriated via Town Meeting vote: the general fund, Sewer Department, and Water Department. Discussion followed. Chairman Espinosa wondered if the regulations have not been promulgated, how do communities move forward without knowing what is expected. Selectman Crowley suggested DPS provide a definition of the tasks and timelines associated with each requirement.

Mr. D'Amico stated it is important to note that this deals with more than just stormwater, but also wells and other things.

It was agreed to table this matter until further information is available.

Authorization of Chairman to Execute Contract with Lantern Light & Electric, Inc. for Installation, Corrective Service, Preventative Maintenance and Emergency Services to the Electrical Systems -- \$10,000:

The Board reviewed the following information: (1) Memorandum, dated June 4, 2012, from the Department of Public Services; and (2) Proposed Contract with Lantern Light & Electric, Inc.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Lantern Light & Electric, Inc. for installation, corrective service, preventative maintenance and emergency services to the electrical systems in an amount not to exceed \$10,000, with year two of the contract to be subject to appropriation; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

At this time, Chairman Espinosa welcomed the newest member of the Board of Selectmen, Richard D'Innocenzo.

Authorization of Chairman to Execute Contract with James R. Coakley Plumbing and Heating, Inc. for Installation, Corrective Service, Preventative Maintenance and Emergency Service to the Supply and Waste Plumbing and Oil Fire Heating Systems -- \$10,000:

The Board reviewed the following information: (1) Memorandum, dated June 4, 2012, from the Department of Public Services; and (2) Proposed Contract with James R. Coakley Plumbing and Heating.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with James R. Coakley Plumbing and Heating, Inc. for installation, corrective service, preventative maintenance and emergency service to the supply and waste plumbing and oil fired heating systems in an amount not to exceed \$10,000, with year two of the contract subject to appropriation; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Introduction – Karon Skinner-Catrone, Conservation Agent:

Ms. Karon Skinner-Catrone stated she has worked as Medway's Conservation Agent for about a year and a half. She stated she worked about fifteen hours a week, and also serves as the Conservation Agent in Westwood.

Discussion – Millbrook Beaver Dam:

The Board reviewed the following information: (1) Town Counsel Opinion relative to Beaver Dam Issue; (2) Beaver Resolution and Mitigation Procedures; (3) DEP Guidance for Conservation Commissions with regard to Beaver Activities; and (4) Email exchange between Conservation Agent and Millbrook resident.

Present: Karon Skinner-Catrone, Conservation Agent; Stephanie Bacon, Health Agent; David D’Amico, Deputy Director, Department of Public Services; Christopher Harrigan, 5 Millbrook Road; James Swarthout, 7 Millbrook Road.

Ms. Karon Skinner-Catrone, Conservation Agent, distributed recent photos of the beaver dam area, as well as the handout featuring the Beaver Resolution and Mitigation Procedures.

Ms. Suzanne Kennedy, Town Administrator, explained that the issue on Millbrook Road is with a beaver dam that appears to be constructed on Town property. The resident at 5 Millbrook Road filed a complaint, noting rising water into his yard. The situation was believed to be resolved by removing the dam, but within a month the beavers rebuilt the dam.

Ms. Skinner-Catrone reported that Mr. Christopher Harrigan initially contacted her in January or February, citing the dam was causing flooding into his yard. The dam was removed, but was rebuilt by March, again causing standing water and an increased mosquito population. Norfolk County Mosquito Control was contacted. The dam appears to be only 1.5 feet high and approximately 100 feet long. She stated she met with an expert who determined a water-flow device would not work because of insufficient slope. Utilizing a map, Ms. Skinner-Catrone indicated, that, in her opinion, the dam is located on the Edison easement. Consulting Mr. Michael Callahan for suggestions, she reported the following potential solutions: (1) engage a licensed trapper to trap the beavers using accepted traps for this purpose (this would have to be done every year as other beavers will find this an attractive place); and (2) deprive them of food and they will eventually leave, having eaten themselves out of their own home.

Ms. Skinner-Catrone mentioned that Mr. Harrigan was putting lawn clippings into wetlands, a practice that is strictly prohibited. She informed Mr. Harrigan of this during the meeting.

Ms. Stephanie Bacon, Health Agent, stated that, for trapping purposes, the beaver activity must be considered a public health hazard, which this is not. It would be if it impacted a septic system or well. She informed the Board that the Board of Health is the entity authorized to issue the permit for trapping.

Discussion followed. Ms. Skinner-Catrone noted that she didn’t see that the water was much higher than the map indicated.

Mr. Christopher Harrigan, 5 Millbrook Road, stated he has been in his home for twelve years and has never had a beaver problem before. He stated that hearing that he “has to learn to live with it” is unacceptable. Mr. Jim Swarthout, 7 Millbrook Road, stated he has an inground pool in his back yard, noting that the water is higher than it has been in the eighteen years he’s lived there. He expressed concern that trees, once dead, are close enough to fall onto his fence and into the pool. A Holbrook Road resident stated a tree landed in her yard and she had to pay for its removal. Ms. Skinner-Catrone confirmed that any tree that falls on a homeowner’s property is that person’s responsibility.

Selectman Trindade acknowledged that the law is very clear regarding the definition and responsibility of the aggrieved party. Ms. Skinner-Catrone commented that if the dam is breached Conservation would be involved. Norfolk County Mosquito Control took the dam down once before and made it clear they will not do so again. A ten-day emergency permit can be issued by the Board of Health.

Selectman Crowley suggested the Health Agent conduct a site visit, and talk with residents as to what has happened during previous seasons. He expressed concern that the situation could be blown out of proportion before additional information is gathered.

Selectman Trindade suggested that, if the cost is not prohibitive, the Town should plan on trapping them every year if necessary.

Mr. David D'Amico, Deputy Director, Department of Public Services, stated the department gets many calls on beaver activity every year. He cautioned the Board to consider the entire community before changing its policy.

It was agreed that the Health Agent will assess the situation and report back to the Board. This matter will be placed on the Selectmen's agenda for its meeting on Monday, June 18, 2012.

First Reading – Proposed Revised Alcohol Policy:

The Board reviewed the following information: (1) Current Liquor Policy, adopted 8/28/2000, amended 9/17/2001; (2) Email, dated december 5, 2011, from Town Counsel; (3) Draft revised Liquor Policy, the redlined version.

Ms. Kennedy pointed out that the materials could seem somewhat confusing without a point by point explanation of the proposed changes. She asked staff to prepare that, and the resulting memorandum was distributed to the Board tonight.

Selectman Crowley stated he would like clarification on "providing a BYOB service to customers" – what that really means and who suggested it.

Chairman Espinosa suggested the Board hold off on a full discussion until key individuals can be present, and asked Ms. Kennedy to put it on the agenda for June 18.

Second Reading – Remote Participation Policy:

The Board reviewed the following information: (1) Draft Remote Participation Policy; (2) Emails, dated May 16, from the Director of Information Services regarding associated technology; and (3) Committee responses to proposed policy received as of May 31, 2012.

Present: Rich Boucher, Director, Information Services.

Mr. Rich Boucher briefly explained that, after reviewing policy that was presented, they came up with three different plans:

- 1) Using phones at a cost of roughly \$1,000. The Town has owned such a phone for about a year and it works very well. Two additional microphones have been added to Sanford Hall to use with this phone.

- 2) WebX or other web-based host services, which costs roughly \$500 a year for the subscription. Up to 15 people can be included in a meeting. Mr. Boucher acknowledged there may be some technical difficulties based on equipment at different venues. There would be additional costs to enable laptops.
- 3) A full scale video conference system. Systems start at around \$15,000 per site just to get them equipped with the proper cameras and such.

Chairman Espinosa asked if people could use their own laptops. Mr. Boucher stated they could, but everyone would have to have the same documents for reference. If the remote participant does not have the document, he or she cannot participate on that matter. Selectman Trindade suggested that as long as a good conference phone is available, that should work well.

Mr. Boucher stated that a quorum has to be physically in the room, and the remote participant cannot be counted as part of the quorum. Selectman Trindade stated it should be up to the board or committee member to make sure they are in contact with the group's chairman and the Town Administrator as soon as they know they have to be absent from a meeting and would like to participate remotely. Ms. Kennedy replied that as long as everyone has access to the same documents it should work, noting, however, that the Planning Board utilizes large detailed plans that cannot be transmitted.

Discussion followed on the number of speaker phones needed and potential meeting locations which would include Sanford Hall, the High School and the School Committee Room at the Middle School. Mr. Boucher suggested getting a "floating" phone that can be mobilized for additional locations, plus a couple more microphones. The total cost should be less than \$1,300.

Selectman Trindade moved that the Board approve the Remote Participation Policy as presented; Selectman Foresto seconded. Selectman Crowley asked if there would be documentation that might indicate abuse of the policy. Selectman Foresto stated a sign out system can be used for the equipment. It would be up to the Chair of each group to know who is using the system and possible abuse, and take appropriate steps as necessary. VOTE: 4-1-0 -- Crowley opposed.

Approval – Thayer Property Committee Recommendation on Architect and Engineering Firm for Thayer Homestead Renovation:

The Board reviewed a document outlining the Qualifications for the Thayer House Project submitted by LLB Architects, of Pawtucket, Rhode Island, in response to the RFQ.

Present: Mark Wilcox, Vice Chair, Thayer Development Committee.

Selectman Foresto briefly reviewed the status of this project and stated that an Article at the 2012 Annual Town Meeting authorized additional expenditures to move the Thayer property renovation forward. The first step was the award of a contract for Project Management, while the next step is the award of a contract to an architectural firm. This is to prepare a design package that would be ready for next Town Meeting. He stated that a recent Open House had 14 firms walk through the property, eliciting 7 formal responses. Four were selected for interview. Utilizing qualifying criteria, the firms were ranked, and LLB Architects was chosen.

Selectman Trindade moved that the Board approve the the Thayer Property Committee's recommendation of LLB Architects, of Pawtucket, Rhode Island; Selectman Crowley seconded. Selectman Crowley asked about the timeline for completion of architectural plans. Selectman Foresto

stated the timeline should be determined prior to Fall Town Meeting, going out to bid contingent on Town Meeting approval. It is anticipated that the building renovation would take nine months.

VOTE: 5-0-0.

Annual Committee Appointments:

The Board reviewed a partial list of individuals up for reappointment.

Discussion followed on voting all the people who have indicated they are interested in serving. The Board asked for a list that includes all positions whether they are up for reappointment or not, and will revisit the matter on June 18. Selectman Trindade suggested sending emails to people to remind them to get in touch with the Town Administrator's office about reappointment. It was also suggested that the chair for each committee or group could provide updated contact information for members.

Liaison appointments:

Chairman Espinosa asked Board members to submit their list of preferred liaison associations to him. The liaison appointments will be discussed in July.

Approval of Meeting Calendar – FY13:

The Board reviewed a proposed meeting calendar for FY13.

Chairman Espinosa suggested a light summer schedule with the Board meeting only on the following dates: June 18, July 16, and August 20.

Selectman Trindade moved to approve the FY13 Meeting Calendar as presented by the Chairman; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

#1 - Street acceptances – Ms. Kennedy will meet with Ms. Affleck-Childs and report back.

#2 – Route 109 Design Project – Ms. Kennedy will contact offices of representatives/elected officials as to what the status of the \$400,000 is. Chairman Espinosa asked for copies of any letters that are sent. Selectman Trindade theorized that Jim McGovern's office should be of assistance even if he is not Medway's representative next year, and volunteered to contact his office. Ms. Kennedy suggested a letter from the Board of Selectmen would have the most impact. Selectman Crowley expressed concern that something is holding up the money. Chairman Espinosa said the funds are critical for the project to move forward. Discussion followed.

#3 – Planning and Economic Development Board will be meeting with the Selectmen on June 18.

#4 -Strategic planning – Ms. Kennedy stated she has someone in mind who can facilitate the planning sessions, and asked if the Board wanted to postpone it until the fall. After discussion, the date for the first session will be July 5 at 6 PM; the second one will be scheduled after the first one is held, once it is known what remains to be done. Board members should submit suggested topics of discussion in order to develop an agenda.

#5 - Kearsage – The Energy Committee has decided to issue an RFP based on the proposal. It is due to Ms. Kennedy next week. Brief discussion followed on discussing performance measures with the Energy Committee. The Board asked for this matter to be scheduled on the July 16 agenda.

#6 - Exploratory committee for new DPS facility –Selectmen Foresto stated the CIPC Chairman recommended this, noting that it is important to get going on preliminary steps now so that when debt service falls off in 2016, the Town is ready to move forward. Selectman Trindade still believes a regional facility with Holliston is a viable alternative. Chairman Espinosa stated that is the kind of question the committee should consider. Is there a cost savings? Do we really need a Town barn? What should it look like? Selectman Trindade volunteered to serve on the committee. He will work with Tom Holder to develop a proposed committee size, prospective members and so forth for the next meeting.

#7 - Trane – Selectman Foresto briefly updated the Board, noting the Energy Committee is still waiting for the school to indicate that their numbers agree with what has been submitted. Selectman Crowley suggested that Selectman Foresto attend the meeting with Ms. Kennedy and Chairman Espinosa, as he has the historical perspective. Selectman Foresto suggested that Ms. Melanie Phillips would be a good addition to the meeting as she has the expense figures.

8 - Beautification – Ms. Kennedy stated she thinks this will take more than Town staff. She will meet with Mr. Holder to develop a strategy. She will place the matter on the agenda for July 16.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 12-49, dated 6/5/12 and 6/7/12, submitted for approval:

12-49	Town Bills	\$1,775,000.00
12-49S	School Bills	100,459.24
12-49P	Gross Payroll Town	235,687.32
12-49SP	Gross Payroll School	794,408.06
TOTAL		\$2,905,554.62

Selectman Trindade moved to approve Warrant 12-49 in the amount of \$2,905,554.62; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

Town Administrator's Report:

Ms. Kennedy stated the Town has spent \$81,500 of the \$158,000 Green Community Grant award thus far. She is seeking approval from the Department of Revenue to repurpose some of the remaining funds. Nearly four of five projects have been completed, including replacement of all the lights in Town Hall with LED lighting; the Senior Center and Police Department still need to be done. The \$24,000 budgeted for an audit was unused because the audit was free. She anticipated making some improvements on vending machine controls, as well as rooftop units at the public library.

Ms. Kennedy acknowledged Carol Pratt, Town Accountant, and Allison Potter, Assistant to the Town Administrator, for spearheading the Town's application to participate in an additional performance measurement program facilitated by the Collins Center at UMass Boston.

Selectmen's Reports:

Selectman D'Innocenzo – no report.

Chairman Espinosa – no report.

Selectman Foresto – no report.

Selectman Trindade asked about the status of the water main replacement and Brentwood projects. Mr. Holder stated the biggest/worst parts of the project will be done first. Research is still being done on the Brentwood easements. Selectman Trindade suggested timelines for various projects be put online for residents.

Selectman Trindade asked if there was money to repair playing fields, noting that the Open Space Committee would like to use funds for Idylbrook projects, as well as security, lighting, fencing and possibly playground equipment at Choate Park – all projects that are visible to the community. The Open Space Committee is applying for a grant. Brief discussion followed.

Referring to the Briggs property, Selectman Trindade asked what was being planned for the trails on that property. It was noted that the existing trail was an Eagle Scout project, and that the Department of Public Services prepares a list of potential Eagle Scout projects. Selectman Trindade asked for the project list.

Chairman Espinosa cautioned that department heads do not have to keep the Board informed of everything they are doing.

It was noted that the new fire chief starts on July 1. The retiring and new chiefs have had several meetings. While some Board members would have liked an overlap period, budgetary constraints could not support it. Chairman Espinosa commented that there is 300 years of culture and tradition to pass along and lots of little details to share with the new chief.

Selectman Crowley asked for the fourth quarter financials once they are prepared. He also asked for the approximate start date on the Lovering Street matter. Ms. Kennedy responded she expects it to be in July.

Selectman Crowley reported that residents have approached him about not having proper signage on Election Day and asked that the Town do something different for the November Presidential Election. Selectman Trindade concurred, suggesting that all available means be used to notify people about the polling location. Ms. Kennedy stated she will make sure that the Town Clerk uses all available email lists. The Board suggested the Town Clerk meet with the Board to explain her plans for coming elections, and asked that this matter be placed on the agenda for August 20.

**At 9:32 PM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.
VOTE: 5-0-0.**

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
June 18, 2012, 6:00 pm
Sanford Hall
155 Village Street**

Present: Chairman Andrew Espinosa, Selectman Dennis Crowley, Selectman Richard D'Innocenzo, Selectman John Foresto and Selectman Glenn Trindade.

Also present: Suzanne Kennedy, Town Administrator; Barbara Saint André, Town Counsel; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Will Naser, Principal Assessor.

There being a quorum, Chairman Espinosa called the meeting to order at 6:01 PM and led in the Pledge of Allegiance.

At 6:02 PM Selectman Trindade moved that the Board enter into Executive Session under Exemption #6: to consider the purchase, exchange, lease or value of real property, specifically, the Cassidy property, the Lovering Street Land Transfer (Article 24 approved at Annual Town Meeting on May 14, 2012) and the Brentwood drainage easement, if the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body and to return to open session immediately following Executive Session; Selectman Crowley seconded. Chairman Espinosa did so declare. No discussion. Roll Call Vote: 5-0-0 – Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye, Trindade, aye.

At 7:02 PM Chairman Espinosa reconvened the public session.

Public Comment: None.

Acknowledgement – Town Hall Renovation Work:

Town Administrator Suzanne Kennedy briefly explained the work done with respect to the renovation, noting that many of the people present tonight actually did much of the work. A committee was formed to go through over 300 photos that celebrate Medway's history and Maryjane White, Mary Lou Staples and Terri Balabanis were recognized for their work in making selections for display in Town Hall. Ms. Kennedy stated everyone coming into Town Hall has had good things to say about the photographs and the new look of Sanford Hall. Additionally, Ms. Kennedy recognized the following staff members for their contributions to the renovation: Bobby McGee, Kent Shorette (carpentry), Jonathan Powers (painting), and Fred Perry (carpentry).

On behalf of the Board, Chairman Espinosa thanked the staff and volunteers for their hard work and dedication to this project. He stated that Sanford Hall is a room everyone can be proud of.

Annual Board/Commission/Committee Appointments:

The Board reviewed the following information: (1) Spreadsheet of pending appointments; (2) Letter of interest (CIPC), dated May 4, 2012, and résumé from Meghan Bernardo; (3) Letter of interest (CIPC),

dated June 12, 2012, and résumé from Michelle Reed; (4) Email letter of interest (CPC), dated May 17, 2012, from James Wieler; (5) Article 25 (Annual Town Meeting – May 14, 2012) amending General Bylaws relative to the composition of the Community Preservation Committee; and (6) Letters of Interest (Medway Pride Day Committee), dated June 6, 2012, from Jodi Kairit, Stephen Price, Caroline Fletcher, Karen Maxwell and Susan Alessandri.

Selectman Trindade moved that that Board delay the appointments to the Capital Improvement Planning Committee (CIPC) in order to allow time to approach the existing committee for guidance relative to those appointments; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board approve the following appointments; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

Douglas Downing as Rep. to the Charles River Pollution Control Dist. through 6/30/2015;
Paul Yorkis as Rep. to SWAP through 6/30/2013;
Peter Manning to the Board of Assessors through 6/30/2015;
Barbara Horowitz to the Board of Registrars through 6/30/2013;
Christine Lorenzen to the Board of Registrars through 6/30/2014;
Florence Mucci to the Board of Registrars through 6/30/2015;
Thomas Anderson to the Capital Improvement Committee through 6/30/2016
Bruce Hamblin, Jeanne Johnson and Marian Pierre-Louis to the Cemetery Commission through 6/30/2013;
David Kaeli to the Community Preservation Committee through 6/30/2015;
David Travalini to the Conservation Commission through 6/30/2015;
Mary Anderson, Veronica Clark and Cranston Rogers to the Council on Aging through 6/30/2015;
Grace Hoag and Mark Wilcox to the Historical Commission through 6/30/2015;
Jodi Kairit, Stephen Price, Caroline Fletcher, Karen Maxwell and Susan Allesandri to the Medway Pride Day Committee through 6/30/2013;
Peter Ciolek, John Larney, Michael Matondi, Richard Parrella, Robert Saleski, Allen Tingley, and Paul Trufant to the Memorial Committee through 6/30/2013;
John Foresto, Dan Hooper, Marcia Kramarz and Mark Wilcox to the Thayer Property Development Committee through 6/30/2013;
Peter Cooper to the Town-wide Energy Committee through 6/30/2016;
Charles Myers to the Town-wide Energy Committee through 6/30/2014;
Shelley Wieler to the Town-wide Energy Committee through 6/30/2014;

At this time the Board called the following members of the Medway Pride Day Committee forward to acknowledge their efforts this year: Stephen Price, Caroline Fletcher, Karen Maxwell and Susan Allesandri. Selectman Foresto praised their efforts, noting that it was a nice day for the people of Medway.

It was agreed that the Board will approve the appointment of James Wieler to the Community Preservation Committee pending approval of committee composition revision by the Massachusetts Attorney General.

Authorization of Chairman to Execute Contract for Ambulance Purchase – Greenwood Emergency Vehicles, \$198,331:

The Board reviewed a draft copy of the contract.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Greenwood Emergency Vehicles for the purchase of a new, 2012 Type 1 emergency medical rescue vehicle in an amount not to exceed \$198,331; Selectman Foresto seconded. It was noted that \$200,000 was appropriated at Annual Town Meeting. Ms. Kennedy listed additional items that were added such as cots and other supplies, plus labor. This figure represents the entire cost. Brief discussion followed. Selectman Crowley expressed concern that the article may not have indicated the fund appropriation could be used to purchase other items. Ms. Kennedy stated she was fairly certain it could be but will check for sure.

Selectman Trindade amended his motion as follows: That the Board authorize the Chairman to execute a contract with Greenwood Emergency Vehicles for the purchase of a new, 2012 Type 1 emergency medical rescue vehicle in an amount not to exceed \$198,331, *once it has been confirmed that the funds appropriated at Annual Town Meeting can be used this way*; Selectman Foresto seconded. No further discussion. VOTE: 5-0-0.

Update – Millbrook Beaver Dam Matter, Stephanie Bacon:

The Board reviewed the following information: (1) Memorandum, dated June 14, 2012, from Stephanie Bacon, Health Agent; (2) Email, dated June 14, 2012, from Karon Skinner-Catrone, Conservation Agent; (3) Town Counsel Opinion, dated December 4, 2009, regarding beaver dam issue; (4) Beaver Resolution and Mitigation Procedures; (5) DEP Guidance for Conservation Commissions relative to Beaver Activities; (6) Massachusetts General Laws Chapter 131, Section 80A; (7) Email exchange between Karon Skinner-Catrone, Conservation Agent, and Millbrook resident Chris Harrigan, March 21, 2012 to May 10, 2012; and Email, dated June 4, 2012, from David Lorenzen.

Present: Stephanie Bacon, Health Agent; Karon Skinner-Catrone, Conservation Agent; Christopher Harrigan, 5 Millbrook Road.

Also Present: Medway Board of Health Chairman Michael Heavey and Jack Mill, member.

Ms. Suzanne Kennedy, Town Administrator, briefly reviewed the correspondence received on this matter, noting that memoranda from staff indicate that this situation does not appear to be a public health issue. She added that an independent consultant indicated that during the time period of November 15 to April 15 of any given year beavers can be trapped without Board of Health approval.

Selectman Foresto asked if disposal is always the result if the solution is to trap the beavers. Ms. Karon Skinner-Catrone, Conservation Agent, responded that trapped beavers must be disposed of, not relocated, and a licensed trapper must be hired to perform this task.

Ms. Stephanie Bacon, Health Agent, read aloud her letter, noting that a site reconnaissance to the dam and the property at 5 Millbrook Road did not reveal that the beaver activity presented a threat to public health and safety, yet suggested options for possible resolution. These options include removal (breaching) of the dam, and the installation of water flow devices which will not hurt the beavers and permit the water to stay at a desired level.

Selectman Crowley asked how much damage could occur if the decision was made to wait for the regular trapping season beginning in November. He theorized that the property owners will likely have to pay for the trapping of the beaver, and that he, personally, had a problem with that. What is the Town's responsibility here? He suggested that the Board consider filing the appeal with the Department

of Fisheries and Wildlife, and discuss who should pay for it. Would the Board of Health consider assisting the residents with the appeal? Discussion followed.

Ms. Skinner-Catrone cautioned that if the pipe (water flow device) is installed, it may not solve the problem as the beavers may just go downstream and build another dam.

Mr. Michael Heavey, Chairman of the Medway Board of Health, emphasized that this is not a health issue, nor is it a threat to septic systems or anything else. If it were, the Board of Health would start the process on their end. He pointed out that dams are built to the height the beavers instinctively believe they will need for their “denning” purposes, i.e., to give birth and raise their offspring. Mr. Heavey added that the presence of dams is not always a bad thing, noting that as trees are felled or die, other kinds of vegetation and ecosystems come to life.

Selectman Trindade agreed Town staff should assist with the completion of the paperwork.

Selectman Crowley asked about the increased presence of mosquitoes due to the non-moving water. Ms. Skinner-Catrone responded that homeowners can contact Norfolk County Mosquito Control and ask that their property be sprayed or treated. Selectman Foresto pointed out that not everyone wants chemicals sprayed near their property.

It was suggested that the resident file the appeal, and be prepared to trap in the fall. Chairman Espinosa cautioned that if the Town pays the costs, it sets a dangerous precedent for numerous future complaints. Mr. Heavey offered as an example a previous beaver situation that was actually impacting a roadway, and, consequently, that incident was determined to be a threat to public safety.

Selectman Crowley moved that the Board ask the Town Administrator to contact the Massachusetts Department of Fisheries and Wildlife to ask for relief on this situation, noting that the Town does not want to wait until November to take action; Selectman Trindade seconded. No further discussion. VOTE: 5-0-0.

Selectman Crowley added that he is in favor of the Town handling the cost of rectifying this matter, and suggested the Board have a second discussion on the cost at a later date.

Ms. Kennedy asked the Conservation Agent and Health Agent about the timeline, i.e., how long does it take after the appeal is filed. Ms. Bacon clarified that typically it is the aggrieved party that files the appeal. She noted further that owners of all affected properties have to sign off on a consent form. It was agreed that Ms. Bacon and Ms. Kennedy would continue the discussion on the filing process outside of the meeting.

Ms. Tina Wright suggested that this may be the time to do some research and develop a policy. Selectman Trindade agreed, noting the Town should get involved in this particular matter while that policy is being developed.

Mr. Heavey stated he would be happy to assist with the completion of forms for the complainant. He reminded the Board and assembly that the Board of Health position is for health concerns, not environmental issues or the saving of trees or yards.

Presentation – Economic Development Committee, Plans for FY13 Consultant Services:

Present: Susy Affleck-Childs, Planning and Economic Development Coordinator; Economic Development Committee Members: Ray Himmel, Chairman; Ann Sherry, Vice-Chairman; and Ken Bancewicz.

Mr. Ray Himmel, Chairman, Economic Development Committee, distributed copies of a handout outlining the position of Economic Development Specialist. He stated the committee chose three questions from the joint meeting in January to answer with greater detail. The selected questions were as follows:

- 1) Should the position be filled by an outside firm or consultant?
- 2) Could the position be a shared arrangement with another town?
- 3) Who would the position report to?

Ms. Ann Sherry, Vice-Chairman, stated they met with Art Roberts and Susy Sullivan, who indicated that Medway has done a lot of research, and just needs a person to put things into motion. Selectman Crowley asked if tonight's discussion was about the funding or an overview of the intent of the funding. Chairman Espinosa pointed out that the Board of Selectmen has the authority to release the entire \$59,000, which is funded from two separate line items. Selectman Foresto indicated that combining funds from two different sources was a way to fund this position.

Chairman Espinosa stated he was at the joint meeting, and his concern is that if the goals and objectives are determined relative to the money that there are measurements in place to ensure it is spent wisely. Ms. Sherry responded that it is difficult to assess success in the first year from a monetary standpoint. It would be nearly impossible to assign a dollars-and-cents return. Chairman Espinosa disagreed, stating if a person is hired to contact companies and get commitments, that those are indeed tangible objectives.

Ms. Kennedy suggested it might be wise to investigate what this position does in other communities in order to have a substantial notion of a work plan, duties and expectations.

Selectman Espinosa asked if this was an annual cost going forward. Mr. Himmel responded that it is a one-year agreement. Selectman Trindade stated he too was concerned about recurring costs. He suggested getting property owners on board with the goals and objectives to prevent stumbling blocks. Ms. Sherry stated the funds cannot be allocated to only the position as some funds will be needed for marketing materials and other associated supplies.

Ms. Kennedy reminded everyone that, when constructing the budget, it was the Board of Selectmen's objective that the total cost would be \$59,000, and that it could not all come from one source. Selectman Foresto stated the Board was trying to balance available free cash with an amount from the departmental budget. Selectman Crowley suggested reviewing minutes of the budget meetings to confirm how the decision was reached.

Chairman Espinosa commended them for following through on this.

Selectman Trindade moved that the Board of Selectmen authorize the Economic Development Committee to continue with the process as presented tonight; Selectman Foresto seconded. Ms. Kennedy stated she would like to be part of the process, working toward a successful outcome, spelled out in a contract to be reviewed and approved by the Board of Selectmen. VOTE: 5-0-0.

Presentation – Open Space Committee/Authorization to Submit PARC Grant Application, Funding for Trail Development, Irrigation Work and Site Amenities at Idylbrook:

The Board reviewed the following information: (1) Memorandum, dated June 12, 2012, from Susy Affleck-Childs, Planning and Economic Development Coordinator; (2) Email, dated April 2, 2012, from Thomas Holder, DPS Director; and (3) Public Briefing Notice.

Present: Tina Wright, Open Space Committee; Gino Carlucci, Planning Consultant, PGC Associates

Ms. Tina Wright stated the Town was able to purchase the land back in the 1990s. She stated a grant is now available for up to \$400,000, with 62% reimbursement for an approved project. After considering various projects, the committee determined that Idylbrook was a good choice. Originally, the committee was interested in applying for the grant to improve the fields and develop the trail system. However, they were later informed that the grant is for park development only. Trail development would not be considered by this particular grant. Ms. Wright noted there would be a grant opportunity in November that would allow the Town to address the trails.

Ms. Wright stated the grant application needs to be submitted by July 12. The Board of Selectmen has to approve the grant application, and the Town Administrator has to sign off on it. The Town would find out mid-October if it was approved. She stated no field time would be sacrificed were the grant to be approved, as the work would take place in the off season. She noted that the drawbacks of having no irrigation, which are field compaction (resulting in increases in injuries) and the need to have the fields lie fallow to recover. The grant application also includes a playground near the fields, though it has yet to be designed and mapped out.

Ms. Wright stated this should be a combined effort, working with DPS, the Town Planner, youth groups, the Conservation Agent, to make sure there is investment in the design and use of resources. Selectman Foresto stated there is a five-item list of what the intended projects will be. Ms. Wright theorized the work would likely not begin until the fall. Selectman Crowley stated that some funds were earmarked for this kind of project, and asked what the other money might be used for. Brief discussion followed.

Selectman Trindade moved that the Board vote to authorize Town Administrator Suzanne Kennedy to submit the PARC grant application to Massachusetts Executive Office of Energy and Environmental Affairs on behalf of the Town; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Approval – Citizens' Petition, Corporate Personhood Resolution:

The Board reviewed Article 49 (Corporate Personhood Resolution) and associated Annual Town Meeting vote (May 14, 2012).

Present: Bob Ferrari, Chairman, Medway Democratic Committee.

Chairman Espinosa stated this matter needs Board of Selectmen authorization to send a letter along with the resolution to the court.

Selectman Trindade moved that the Board approve the Citizens' Petition voted at the Annual Town Meeting on May 14, 2012 as submitted in the packet; Selectman Foresto seconded. Mr. Ferrari suggested the following: through the Town Administrator's office secure a certified copy of the Town Meeting action with regard to Article 49 from the Town Clerk. This can be scanned and saved as a PDF document. A brief email message can be with the document as an attachment. He stated the

Medway Democratic Committee believes that this action incurs no costs to the Town but satisfies the notification component of the resolution, and respectfully asked that this action be taken tonight and completed by June 25. At this time Selectman Crowley moved the motion; Selectman Trindade seconded. No further discussion. VOTE: 5-0-0.

Mr. Ferrari submitted a certified copy of the Town Meeting vote.

Authorization of Chairman to Execute Contract with North-Eastern Tree Service, Inc. for Tree Maintenance Services -- \$20,000:

The Board reviewed the following information: (1) Memorandum, dated June 13, 2012, from the Director of the Department of Public Services; (2) Bid Summary sheet, dated May 19, 2012; and (3) Contract document.

Selectman Trindade moved that the Board authorize the Chairman to execute a two-year contract with North-Eastern Tree Service, Inc. for tree services, preventative maintenance and emergency service in an amount not to exceed \$20,000; Selectman D’Innocenzo seconded. Selectman Crowley asked if the second bidder might complain that the first bidder is not within 15 miles of Medway as listed in the contract. Mr. Holder clarified that, based on what each bidder can bring to the table, a discretionary decision is made if none of the companies with low bids qualify as responsible. Mr. D’Amico reported that a more local operating center is being opened somewhere in Norfolk and Mr. Fred Sibley has taken look at the site. Brief discussion followed on trees interfering with power lines, causing outages. VOTE: 5-0-0.

Authorization of Chairman to Execute Contract with TnT Energy for Library HVAC Units:

The Board reviewed the following information: (1) Memorandum, dated June 13, 2012, from Tom Holder, DPS Director; (2) Quotation form, dated April 19, 2012; and (3) Contract document.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with TnT Energy, LLC for the supply and installation of two rooftop HVAC units at the Medway Public Library in an amount not to exceed \$22,540; Selectman D’Innocenzo seconded. Clarification was provided on the HVAC units at the library – controls plus two units were replaced last year, and one unit was replaced this year, leaving two more to be done, which are listed on the capital items plans. VOTE: 5-0-0.

Approval – Contract with Kleinfelder Northeast, Inc. for Integrated Water Resources Management Plan (IWRMP) -- \$499,923:

The Board reviewed the following information: (1) Memorandum, dated May 29, 2012, from the Director of the Department of Public Services; and (2) Contract document.

Selectman Trindade moved that the Board approve and execute a contract with Kleinfelder Northeast, Inc. for an Integrated Water Resources Management Plan in an amount not to exceed \$499,923; Selectman Foresto seconded. Discussion followed on program tasks, accomplishment of those tasks, how funds will be disbursed, and the possibility that the outcome of November elections may impact the timing of the mandate. Mr. Holder stated the Town needs to do some things just to meet the requirements of Phase 2, and if the Town does not have a contract in place by June 30, it is not eligible for the funding. Selectman Crowley asked for a breakdown of costs for each phase. As the matter is time-sensitive, Mr. Holder suggested that the motion authorize the Chairman to execute the contract.

Selectman Crowley stated that did not address his concerns. **VOTE: 3-2-0.** Espinosa and Crowley opposed.

Approval -- Braking the Cycle Ride:

The Board reviewed the following information: (1) Email correspondence, dated May 31, 2012, from Jim Dreher, Logistics Coordinator for Braking the Cycle; and (2) Memorandum, dated June 5, 2012, from Police Chief Tingley.

Selectman Trindade moved that the Board approve the request made by *Braking the Cycle* to allow for the associated bicycle ride to proceed through Medway on September 28, 2012 with the proviso that one detail officer be hired by the organization to ensure both the safety of riders and movement of traffic and that the cycling organization supply their own trained safety and traffic control volunteers to assist as outlined in Chief Tingley's memo dated June 5, 2012; Selectman Foresto seconded. No discussion. **VOTE: 5-0-0.**

Designation of Capital Improvement Planning Committee members as Special Municipal Employees:

For the benefit of viewers, Ms. Kennedy provided an explanation of how a Special Municipal Employee is defined in that some people may be participating in more than one concern, and the designation allows participation in those concerns without a perceived conflict of interest.

Selectman Trindade moved that the Board designate the members of the Capital Improvement Planning Committee as Special Municipal Employees; Selectman Foresto seconded. No discussion. **VOTE: 5-0-0.**

Board of Selectmen Liaison Appointments:

Chairman Espinosa stated these have not been determined, and asked Board members to submit recommendations to him as soon as possible.

Action Items from Previous Meeting:

Given the lateness of the hour, it was agreed to review these in July.

Regarding the Board's Strategic Planning session scheduled for July 5, Selectman Crowley reported that he believes he will be away. Ms. Kennedy asked him for available dates in order to reschedule the consultant. He will verify his vacation dates.

Ms. Kennedy reported there has not been a Leadership meeting to discuss the TRANE contract.

Selectman Trindade expressed concern that there will be another investment in an industrial park that might in fact require some zoning changes. An Action Item will be to approach the Planning Board with the potential for a joint meeting. The Board asked the Town Administrator to instruct the Planning Board to begin some research.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 51, dated 6/21/12, submitted for approval:

12-51P	Gross payroll Town	\$238,163.51
12-51SP	Gross payroll School	\$907,185.32

12-51 Balloon	School-year end balloon payment	\$786,009.22
	TOTAL	\$ 1,931,358.05

Selectman Trindade moved that the Board approve the Warrant as read; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Town Administrator’s Report:

Ms. Kennedy stated plans are underway for street acceptances for both Fall Town Meeting and Annual Town Meeting next spring, specifically, for Claybrook and Meadows. She will check with the Planning and Economic Development Coordinator for specifics and report back.

Regarding the Green Community Grant, \$58,000 of unexpended funds was repurposed toward projects that will save the Town an anticipated \$24,000 in energy costs annually.

A conceptual framework was put together for the Clean Sweep project, which has been renamed as the Medway 300 Beautification Day. Selectmen Foresto and Crowley have agreed to identify some team leaders and specific neighborhoods to target. Ms. Kennedy clarified this endeavor will take place in conjunction with Earth Week next April.

Selectmen’s Reports:

Selectman Foresto asked for the Board’s input and discussion regarding the Thayer house project. He stated the committee is working on developing the contract with a payment schedule included, and trying to get it completed (signed). He asked if the Board would consider authorizing the Chairman to sign the contract after it is reviewed by Town Counsel. He expressed concern that because the Board does not meet again until July 16, the delay would be significant.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with LLB Architects for the Thayer House Renovation Project; Selectman D’Innocenzo seconded. Selectman Trindade agreed to a friendly amendment that the contract be reviewed by both the Town Counsel and Town Accountant prior to the Chairman’s signature. No further discussion. VOTE: 5-0-0.

Selectman Crowley asked Ms. Kennedy for the results of the ballot questions at the recent Town Election. Ms. Kennedy responded that the Town Clerk is on vacation, adding that she would ask the Assistant Town Clerk for the results.

Selectman Crowley also acknowledged Mr. Chan Rogers, the subject of an article in the *Milford Daily News*, and commended him for his service. Mr. Rogers is presently a commissioner on the Water and Sewer Board, which is holding a hearing tonight on proposed water rate increases of 4% for water and 4% for sewer. He commended the Water and Sewer Board for working with the Board of Selectmen in keeping the increases as small as possible.

Approval of Minutes:

The Board reviewed draft minutes of meetings held on February 6, 2012; February 21, 2012; and February 28, 2012.

Selectman Trindade moved that the Board accept the minutes of February 6, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board accept the minutes of February 21, 2012, as amended; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board accept the minutes of February 28, 2012, as amended; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

At 9:09 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
July 2, 2012, 8:00 AM**

**Town Administrator's Conference Room, Town Hall
155 Village Street**

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

Also Present: Karen Kisty, Operations Manager; Wade Holtzman, Manager - Still River Winery Inc.;

There being a quorum present, Chairman Andrew Espinosa called the meeting to order at 8:05 AM and led the group in the Pledge of Allegiance.

Public comment: None

Farmer's Market Farmer Winery License:

The Board reviewed the Application for License by a Farmer Winery to Sell at a Farmer's Market as well as ancillary documents (Certification of Agricultural Event from Department of Agricultural Resources dated June 15, 2012; Farmer Winery License issued to Still River Winery Inc. for 2012; Medway Liquor Policy Acknowledgement executed by Still River Winery Inc.; copies of TIPS certifications; sign-offs from Police Chief (on behalf of police and fire departments) and Building Commissioner).

Ms. Kennedy thanked the Board for agreeing to meet on short notice in order to expedite Still River Winery's license approval and, therefore, participation in the upcoming Medway Farmer's Market to be held at Medway Gardens from July 5, 2012 through September 6, 2012. She believed the Board encouraged small Massachusetts business owners and would consider supporting a special meeting to approve the winery's application. It was further explained that the Town must provide the ABCC with 7 days advance notice of the license approval. Still River Winery's participation in the Medway Farmer's Market could not commence prior to July 12th but, nonetheless, this would be 2 weeks earlier than the allowable commencement were the matter postponed until the next regularly scheduled Board of Selectmen's meeting on July 16, 2012.

Mr. Holtzman expressed his appreciation regarding the expediting of Still River's license approval.

Selectman Trindade moved that the Board approve the special license; Chairman Foresto seconded. No discussion. VOTE: 3-0-0.

Massachusetts Municipal Association Performance Measurement Program Memorandum of Understanding (MOU)

Ms. Kennedy asked Chairman Espinosa if he would consider Board approval of the Mass. Municipal Performance Measurement Program MOU. Chairman Espinosa requested Ms. Kennedy to provide a

synopsis of the program for the Board. Ms. Kennedy explained that the program is intended to promote performance management at the municipal level and that Medway is one of 15 communities participating in the Community Innovation Challenge Grant sponsored by the Patrick-Murray Administration.

Selectman Trindade moved that the Board authorize the Chairman to execute the MOU; Selectman Foresto seconded. No discussion. VOTE: 3-0-0.

BOARD OF SELECTMEN'S MEETING
July 16, 2012, 6:00 PM

Sanford Hall
155 Village Street

Present: Chairman Andrew Espinosa; Selectman Dennis Crowley, Selectman John Foresto, Selectman Richard D'Innocenzo (6:30 PM), and Selectman Glenn Trindade (6:10 PM).

Also Present: Suzanne Kennedy, Town Administrator; Barbara Saint André, Town Counsel; John Emidy, Building Commissioner; Missy Dziczek, Director, Council on Aging; Allen Tingley, Police Chief;

There being a quorum present, Chairman Espinosa called the meeting to order at 6:05 PM and led the Pledge of Allegiance.

At 6:06 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 litigation position of the public body and the chair so declares (Exemption 3 – Union Negotiations and Virginia Road Stormwater); and, to consider the purchase, exchange, lease or value of real property if the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body (Exemption 6 – Virginia Road Stormwater) with the intention to return to public session immediately following executive session; Selectman Crowley seconded. No discussion. Roll Call Vote: 3-0-0 Crowley, aye; Espinosa, aye; Foresto, aye.

At 7:05 PM Chairman Espinosa reconvened public session.

Discussion -- Demolition of House at Beech and West Streets, Board of Health:

Ms. Barbara Saint André, Town Counsel, stated the emergency provision for the Board of Health to act is usually applied when there is a threat to life or to the Building Inspector. She indicated she was not sure that would apply to this particular house though it has been in disrepair for some time. Due process of law must be adhered to.

Ms. Kennedy added that a determination has to be made that there is an imminent threat, which can be made by the Board of Health or the Building Inspector. In order to arrive at that determination, the condition of the dwelling has to be detriment to public safety. Additionally, the Town must notify the property owner of the intent to demolish the house. She stated that the owner is deceased, in which case notice must be made to the heirs.

Ms. Saint André stated the Town could send a notice to the owner of the property that the house is in a dilapidated condition, and that there will be a hearing. Chairman Espinosa believes the Board of Selectmen should take steps to move forward. Ms. Kennedy reminded him that it is not known if the property has been probated so it will take time. Chairman Espinosa suggested the Town proceed as if the determination has been made that it is detrimental to health.

Mr. John Emidy, Building Commissioner, stated he has been to the property many times, noting that it is a public nuisance, in his opinion. He cited the Public Nuisances statute as reference. Selectman Crowley asked how long the process could take. Mr. Emidy responded that notice about the property has to be posted, and appear in the newspaper, with the whole process taking a couple of months.

Selectman Trindade moved that the Board instruct the Building Commissioner to begin the process for the dwelling located on property on the corner of Beech and West Streets to declare it a public nuisance pursuant to Chapter 129 of the General Laws; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

Public Comments: There were none.

Discussion – Military Memorial – Colonel Matondi:

The Board reviewed materials submitted by Colonel Matondi relative to a memorial request.

Present: Colonel Michael Matondi; Members of the Memorial Committee.

Colonel Matondi briefly stated that the Memorial Committee has put together a proposal by which veterans can be honored at various monuments and military memorials in Medway. He added that the Memorial Committee has appeared before the Medway Community Preservation Committee which indicated the project did not qualify for Community Preservation Act (CPA) funds. The Memorial Committee did not agree and decided to bring the matter to the Selectmen. Mr. Parrella joined Colonel Matondi at the table.

Mr. Parrella distributed cost estimates. He stated two very important aspects of American history have not been recognized and the committee's primary objective was to update the Iraq war monument. Regarding the monuments in Matondi Square, Ms. Kennedy and Mr. Parrella believe there should be some rearrangement. This would mean moving the Revolutionary War monument to a separate area, and producing new monuments to upgrade the Iraq monument and to reflect the War of 1812. Brief discussion followed.

Mr. Parrella suggested there were two phases to this project, the first being financial. These costs were based on conversations with a monument company, and he noted these are very outside costs. The new monuments would be made proportionate to those already there (size and thickness). If the new ones are thinner by two inches, there would be a cost savings. Mr. Parrella does not advocate outsourcing to secure Chinese grey granite. Brief discussion followed on costs for both the memorials and outside costs. Regarding the use of CPA funds, Mr. Parrella stated he read the existing CPA law, and believes there have been revisions which loosen the scope of projects that can be funded.

The committee would like to get started right away, with the first phase addressing the global war against terrorism. It is important to get all the names, and a design done, in order to go out to bid. This part needs to be done by November in order to have the stone ready for Memorial Day 2013.

Selectman Crowley suggested an article for Fall Town Meeting, but noted that time is of the essence. Mr. Parrella indicated the committee could start the administrative portion now. Colonel Matondi agreed, especially if some seed money were available to get started. Brief discussion followed on an appropriate amount. Mr. Parrella stated two designers have agreed to waive their compensation. Ms.

Kennedy suggested she could take funds from other sources, and then replace them after the Town Meeting vote. She offered to work with Tom Holder to find some money to get started.

Selectman Foresto moved that the Board of Selectmen draft a warrant article for the Fall Town Meeting to authorize the purchase of monuments as presented, and, further, to direct the Town Administrator to locate an amount of money not to exceed \$1,000 as seed money to begin the process; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.

It is noted that this matter will be added to the Action Items list with a report from Col. Matondi no later than September 15 on design services.

Authorization of Chairman to Execute Contract with Greater Attleboro Taunton Regional Transit

Authority -- \$96,000:

The Board reviewed a Contract Between the Greater Attleboro-Taunton Regional Transit Authority and the Town of Medway for Transit Service to the Elderly and Disabled and Operation of the Shuttle Service to the Norfolk Commuter Rail Station.

Present: Missy Dziczek, Director, Council on Aging.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with the Greater Attleboro-Taunton Regional Transit Authority for the provision of transportation services for the elderly, persons with disabilities, and shuttle service to the Norfolk Commuter Rail Train Station for fiscal year 2013; Selectman Foresto seconded. Selectman Crowley asked about use of the vehicle for other services in Town, such as Medway 300. Ms. Dziczek responded that the service is limited to elderly and disabled as defined by the contract, and that the Town of Medway bus is available for other transportation needs. Discussion followed on vehicles repairs, usage numbers and comparison of FY12 budget to FY13 budget. VOTE: 4-0-1 – Crowley oppose.

Discussion – Advertising Local Elections, Maryjane White, Town Clerk:

Present: Maryjane White, Town Clerk

Selectman Crowley stated that there seemed to be confusion surrounding the advertising of elections, and a perceived lack of it. Ms. Maryjane White, Town Clerk, responded that in January the annual census forms were sent out with information listing all upcoming elections and specifying they would be held at St. Joseph's church instead of the Medway Middle School. Selectman Crowley asked if Ms. White would consider the use of signs with interchangeable letters that will withstand the elements. She stated everyone will know where the presidential election will be as typically 96% of the voters participate. Ms. Kennedy stated that banners have been suggested, but not pursued due to insurance considerations. Chairman Espinosa emphasized that the Board of Selectmen is interested in ways to communicate better.

Brief discussion followed on who is the official keeper of the meeting minutes for municipal groups. Ms. White stated, ultimately the Town is responsible, but each group has a clerk who should be the keeper of the minutes for that group. Ms. White stated the procedure is covered in the Open Meeting Law, which she will distribute again this fall. An updated version comes out every two years.

First Reading – Proposed Revised Alcohol Policy:

The Board reviewed the following information: (1) Memo, dated June 4, 2012, outlining policy revisions; (2) Current policy; (3) Emails from Town Counsel regarding penalties; and (4) Proposed revised policy.

Ms. Allison Potter, Assistant to the Town Administrator, reported that the purpose of this effort is to update the existing policy to incorporate new regulations and to be clearer about policy violations. Toward this end, she prepared a memo outlining the differences between the current and proposed policies.

Selectman Crowley questioned the departmental approval section for one day licenses. Ms. Potter noted that the Board of Health already has to sign off on licenses, and some premises will be approved as a general rule. It was noted, for example, the Board of Health would always need to issue a food permit for an event at St. Joseph's as it does not have a standing permit. It was suggested that the term "where applicable" is not clear enough.

Discussion followed on suggested changes including the responsibility of a manager in a one-day situation, warnings for violations, BYOB and restaurant participation, and modification of the fees section, if a property such as the Thayer property becomes available as a function venue. Ms. Potter stated she will make the suggested changes and report back.

Authorization to Expend Grant Funds -- \$2,750 MEMA Emergency Management Grant:

The Board reviewed the following information: (1) Grant expenditure authorization form; and (2) Award notice and page 1 of the contract.

Present: Allen Tingley, Police Chief.

Selectman Trindade moved that the Board authorize the expenditure of Mass. Emergency Management Agency grant funds in the amount of \$2,750 to purchase emergency management equipment; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Discussion – Energy Savings Performance Measures, Town-Wide Energy Committee:

The Board reviewed the following information: (1) Correspondence from the Energy Committee; and (2) Charts of 5-year progress toward energy goals.

Present: Energy Committee: Shelly Wieler, Acting Chair and Charlie Myers.

Ms. Shelly Wieler reported that, in order for the Town to be eligible for the Green Community designation and associated grants going forward, the Energy Committee has been following the energy use in the Town in order to reduce usage by 20%. Referring to the pie charts, she noted electric use is the highest utility usage as a municipality, followed by natural gas. Look at the usage the bar charts, it appears that the Town is on target or exceeding its goal as far as gas and heating oil are concerned. Much of this is due to the mild winter, and it is anticipated those costs will go up. Gasoline and diesel also down, due to the fact that trucks and plows were not out during winter storms. Those costs will also go up if there is a traditional winter.

The analysis of the electricity usage includes solar. The reduction in energy is due to reduction in use at the schools, the largest user. The Committee is concerned that the Town will not achieve the 20% goal without adding solar, which is not used to calculate the 20% reduction goal for the Green Community

designation. The overall goal was to reduce electric consumption without figuring in solar. However, Ms. Wieler suggested that if the goal reached is near the 20%, it is possible that solar may be allowed.

Ms. Wieler stated that major infrastructure changes at the schools have reduced actual usage, and it was noted that an energy audit showed areas where further reduction can occur. Overall behavior modification and user awareness will have the biggest impact. This includes behavior modification at the schools, green clubs, solar, and ESCO. She stated the Town has the LEAP grant through the MAPC to expand green efforts into the community. Ms. Wieler stated that the Energy Committee wrote the letter about addressing these issues in April and forwarded to Board of Selectmen in May. Ms. Wieler read the letter aloud. It was noted that the operational management of a department may not be actively involved in the payment of energy costs. She emphasized that the letter is a recommendation.

Mr. Charlie Myers stated that Medway is ahead of the curve in energy management, and the role the Board is playing is important. The LEAP grant is an example. Other potential savings could be achieved through the vehicle policy, fees for evening use of the school buildings, perhaps making only one building available for evening use, and an overall attitudinal change towards usage.

Selectman Foresto suggested some sort of “top down” approach in which departmental managers be accountable for energy use, and then involve their staff in reduction efforts. Ms. Kennedy stated some physical changes have been made and will continue, including the installation of thermostat controls, and other ways to control energy usage. Ms. Wieler acknowledged that the Town is making great strides in changes to the infrastructure, and now have to address the behaviors. She suggested that a reasonable temperature for winter heat should also be determined. Discussion followed.

Mr. Myers noted that the solution will not happen overnight. He stated that what they have presented is a report as to where the Town is right now, along with a recommendation. There will be more opportunities to get funds that support efforts. It was noted that the existing grant funds must be used before additional grant applications can be submitted.

Selectman Crowley complimented the committee for their hard work, acknowledging all the data that had to be independently entered to create the graphical representations. He stated that Frank Faist did a lot of this work, and wondered what will happen when he is no longer a member of the committee. Ms. Wieler suggested that Mr. Faist has laid down the pathway, and most of what has to be done in the future is to simply update the figures in the templates. If a committee member cannot do it, grant funds may be used to pay someone at the Town to update the data. Mr. Myers added that he did not anticipate the formulas changing. They only need to enter meter readings going forward. Ms. Wieler added that the Board may decide not to use the employee evaluation and instead put it into the Annual Report.

Discussion – Lovering Street Property Transfer:

The Board reviewed a letter from Lovering Street residents regarding the proposed property transfer.

Ms. Kennedy stated the Lennon family, who requested the property transfer, was invited to meet with the Board, as well as the abutting homeowners. Selectman Crowley stated he had been interested in hearing Mr. Lennon’s intent for the property and his expectations of the Town.

Mr. Ray Lennon stated his intent was to acquire the property by the water tower in order to access roughly two acres of landlocked land. His eldest son would like to build a home on one of the two

building lots. It is possible the other son might like to build on the other lot sometime in the future. Mr. Lennon stated that he understands the concerns of the abutters that the woods would be destroyed. The access would be up the road to the water tower, and the houses would be built toward that side, with no infringement on the woods on the other side. He noted that all the existing homes are on one-third acre lots.

Mr. Lennon added that his intent is not to destroy the woods, as he and his family have lived there for 25 years. He has not cut one tree that did not fall down on its own or had been struck by lightning. His eldest son has lived in Medway all his life, as has his wife and her family for over 100 years. He is not out to disfigure the community in any way.

Selectman Foresto asked if he would consider a covenant specifying that the property could not be passed to anyone outside of the family. Mr. Lennon said he could for the first lot where the son wants to build, but cannot say for the other lot. He can't promise that the son will live in the house forever, i.e., if he should get a job across the country. Mr. Lennon noted that the area of the land under discussion is approximately half an acre. Most of the lot he wishes to purchase from the Town will consist of a water easement to the Town.

Selectman Trindade pointed out that, if the transfer goes through, Mr. Lennon would be getting two building lots. He stated he talked to real estate agents who indicated that building lots in that neighborhood are valued at over \$100,000. This does not seem a fair exchange for only \$10,000 from Mr. Lennon. Mr. Lennon responded that just getting the easement does not magically turn them into buildable lots; they would still have to meet with the Planning Board, Department of Public Works, and other entities. Things are still in the planning phases. Selectman Trindade posed the following question: What if you offer the lots for sale and a 40B developer comes in? Mr. Lennon stated he did not know how regulations differ from use by homeowners or developers, but noted that the 50 feet of easement is useless to anyone but him.

Selectman Crowley stated he did not wish to create animosity with the neighbors and wondered if things were out of sequence. He asked what would happen were he to buy the land and then is unable to make progress with the Planning Board or Zoning Board of Appeals. He suggested Mr. Lennon meet with those groups first to have his plans reviewed with some kind of approval. Mr. Lennon stated his plan has met the initial criteria, and if some counsel or guidance were available without expending a lot of money, he would be amenable to such a review.

Mr. Tom Holder, Director, Department of Public Services, stated that, from a utility standpoint, he believes the water and sewer system is an appropriate size for single-family homes. Selectman Crowley wondered if it is possible to get a list of costs that might come into play to develop the lots. Mr. Lennon stated he plans to bring in water, electricity, plus sewer, and that the only question is whether there will be required drainage because it will be a private way. The Board advised Mr. Lennon to meet with Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, to discuss potential plans.

At this time, Chairman Espinosa asked the abutters if anyone had questions or comments. An abutter residing at one Sunset Drive asked who will take care of the driveway and mentioned drainage problems that cause flooding on Sunset Drive. He noted that there was no meeting with the Planning Board, and the abutters had not heard of this proposal until after Town Meeting. Selectman Trindade suggested that whoever develops that property will have to address all those things. It is possible that the addition of a retention basin at the rear of the property might improve the overall drainage.

Mr. Jim Lorenzen, 8 Sunset Drive, reported that it is his yard that floods. He stated he has talked to the Lennons, and his concern centers on what happens if they sell the property. Are there restrictions to future zoning or development? Selectman Crowley suggested a 20-year deed restriction. Ms. Christine Lorenzen, 8 Sunset Drive, responded that such an action only delays the issue.

Mr. Eric Stenson, 4 Sunset Drive, expressed concern for current property values. He suggested if any clearing of woods is done, it will increase the visibility of the water tower, which could potentially diminish the value of the nearby homes. He stated he would like consideration for the clearing of the trees. Selectman Trindade pointed out that once someone owns the property, they would have the right to clear the trees, even if it were not developed any further. He added that control is limited to the zoning and planning regulations in force at the time.

Discussion followed. Mr. Lennon emphasized that he wants two building lots, but will not promise his son will always live there. He would be willing to accept a covenant that would not permit a 40B project, or simply limiting development to single-family homes. The abutters asked to be notified of any future meetings on this matter.

Authorization of Chairman to Execute Change Order for Water Main Replacement (Main Street) – Oliveira Construction -- \$14,500:

It is noted this is relative to an 8" Iron Main at 116 Main Street – Drybridge Crossing and 74 Main Street – Rugged Bear Plaza to replace existing PVC. The Board reviewed the following information: (1) Memo, dated July 10, 2012, from the Director, Department of Public Works; and (2) Change order.

Selectman Trindade moved that the Board authorize the Chairman to execute a change order with Oliveira Construction for the replacement of PVC with iron pipes at 116 and 74 Main Street; Selectman Foresto seconded. Mr. Holder indicated these two PVC pipes were known about and included in the initial design for water main replacement, but later it was determined that the PVC would not withstand future road redesign. The PVC does meet American Water Association standards. This particular spot spans the width of Route 109. VOTE: 5-0-0.

Regarding the Lovering Street sidewalks, there have been changes in the cost estimates. Mr. Holder stated that the Village Street and Lovering Street sidewalks need are scheduled for rehabilitation as part of the sidewalk improvement plan and the cost estimate was \$200,000. Through the design process, DPS is now aware of drainage work that needs to be done on Village Street as well as 33 water service connection relocations. The project was under-estimated.

Mr. Holder reported that the sole bid for these sidewalks was significantly higher than the \$200,000 estimate due to the drainage and connection issues. He said they can take the bid and move forward, as it meets the criteria of a responsive and responsible proposal. The Town will pay more, however, due to the fact it wants to have Lovering Street done by the start of school. Mr. Holder did feel there may be wiggle room on some of the unit prices, though the scope of the work cannot be changed. He will verify the legality of price negotiation on some of the components.

Mr. Holder stated that to get this done in time, he would need work to commence prior to the next Board of Selectmen meeting on August 20, and suggested that he work with the contractor to get a contract in place, under the condition that the Chairman of the Board of Selectmen is authorized to execute it. Otherwise, it could be rebid during the winter months and the work could take place in the

next construction season. The current cost estimate is \$489,000 for both streets, including \$100,000 added for the drainage work. Discussion followed. It was also noted that the Village Street sidewalks are lower than the road (due to resurfacings); they could be ripped out and replaced, but they would be under water most of the time.

Selectman Crowley expressed concern that area residents are being told to wait, one more time. It was suggested that Mr. Holder check with the Attorney General about determining costs with a single bidder. Chairman Espinosa suggested Mr. Holder renegotiate the prices. It was suggested that the design was right, but undervalued when initially estimated.

Ms. Kennedy asked about a completion date. Mr. Holder responded that the project takes three weeks to complete. He anticipates that by end of next week he will have the ruling from the Attorney General, a revised bid from the contractor, and the contract draft on its way to Town Counsel. It was suggested that, if the firm wants the job, negotiation is possible; otherwise, the Board may opt to rebid.

Authorization to Expend Grant Funds -- \$51,400 Regional Resiliency Assessment Program Grant:

The Board reviewed the following information: (1) Award letter, dated June 5, 2012; and (2) Grant expenditure authorization form.

Selectman Trindade moved that the Board authorize the expenditure of Regional Resiliency Assessment Program grant funds in the amount of \$51,400 to purchase approved equipment for the Vulnerability Reduction Purchase Plan for the NSTAR Station 446 – West Medway RRAP site; Selectman Crowley seconded. It was noted that anyone can use this equipment as long as it is available for emergency use. VOTE: 5-0-0.

Ms. Kennedy congratulated Mr. Holder and Chief Tingley for their hard work on this project. She noted that Medway belongs to a regional group, Norfolk County, but the Town is ahead of the game. Selectman Trindade asked that the Board of Selectmen be notified when the equipment is in place.

Authorization of Chairman to Execute Contract with Milford Regional Medical Center d/b/a VNA and Hospice of Greater Milford for Health Services -- \$14,150:

The Board reviewed a contract document.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with the Milford Regional Medical Center d/b/a the VNA and Hospice of Greater Milford in an amount not to exceed \$14,150 for public health nursing duties; Selectman Foresto seconded. No discussion. VOTE – 5-0-0.

Appointments – Cultural Council and Capital Improvement Planning Committee:

The Board reviewed the following information: (1) Robert Wilson, 44 Granite Street: Letter of interest, dated June 1, 2012; conflict of interest filing and letter from Chair, Cultural Council; and (2) Michelle Reed: Letter of interest, dated June 12, 2012, and resume.

Selectman Crowley moved that the Board declare that there is no conflict of interest preventing Robert Wilson from serving as a member of the cultural Council; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.

Selectman Crowley moved that the Board appoint Robert Wilson to the Cultural Council; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board appoint Michelle Reed to the Capital Improvement Planning Committee; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

Board of Selectmen Liaison Appointments – FY13:

The Board reviewed liaison appointment lists from FY12 and FY13 (proposed).

After review and brief discussion, there was only one change to the proposed list. Selectman Crowley will serve as liaison to the Finance Committee.

Action Items from Previous Meetings:

#8 -- Millbrook Beaver Dam – Ms. Kennedy stated the report from the consultant is not available yet.
#2 – Route 109 Design Project – Selectman Crowley commented that the Town hopes to have word of the status of the \$400,000 by end of the week.

Approval of Warrant:

Selectman Crowley, Clerk, read aloud the Warrant, dated 7/23/12, submitted for approval, reflecting payroll costs for the schools and the Town for a total of \$848,789.

Selectman Trindade moved that the Board approve the Warrant as read; Chairman Espinosa seconded. No discussion. VOTE: 5-0-0.

Town Administrator's Report:

Ms. Kennedy asked Selectman Foresto about a recent meeting in connection with the Town Beautification project. Selectman Foresto will supply some maps of selected areas in Town.

Ms. Kennedy reported there have been a couple meetings with Selectman D'Innocenzo to introduce him to various groups. Selectman D'Innocenzo stated the meetings are very helpful, and he has enjoyed meeting people.

Selectmen's Reports:

Selectman D'Innocenzo – No report.

Selectman Foresto asked that the email address of the strategic planning consultant be provided to him so that he can ask for a copy of the email that was sent regarding the action plans. Ms. Kennedy stated she would resend that email to the full Board.

Selectman Trindade – Regarding a developer interested in coming to Medway; Mr. Trindade spoke with the Planning and Economic Development Board (PEDB) Chairman who reported that the prospective developer is very happy with the Town and its responsiveness thus far. Mr. Trindade noted that the Chairman had a couple of issues, however: (1) The attorney's delay in the title research on the bottle cap lots (apparently due to a prioritization of the Brentwood issue) ultimately caused Mass Development to close out the contract with the consultant. Overall, the Chairman is upset that the Board of Selectmen claims to be in favor of development, yet the PEDB does not get support. For

example, it would love to be able to bring some zoning issues to the Fall Town Meeting instead of always in the spring.

Selectman Foresto wondered why the issue was not brought to light a few months ago. Ms. Kennedy stated Town Counsel felt that Brentwood was a hot button issue, and redeployed Attorney Mike Marsh. Beyond that, the attorney that is working on the bottle cap piece says this particular year has been extremely busy with this kind of work. Discussion followed. It was noted that the Economic Development Committee started working on this several years ago, and the public hearing could have gone forward to let residents know what was happening. Ms. Kennedy theorized that not much time was lost, the Town did not lose any money, Mike Marsh is on a fast pace right now and the public hearing can still be held. Selectman Trindade emphasized that the Selectmen need to repair the communication bridges and reaffirm their support for the Planning Board.

It was decided to put the topic of Fall Town Meeting zoning articles on next agenda. Discussion followed on doing the housekeeping ones in the fall.

Selectman Crowley asked about the fourth quarter financial reports. Ms. Kennedy stated they were sent out today.

Chairman Espinosa informed the Board he would not be here for the August 20 meeting.

**At 9:57 PM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.
VOTE: 5-0-0.**

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

*Andrew Espinosa, Chairman
Glenn Trindade, Vice Chairman
John Foresto, Clerk
Dennis Crowley, Member
Richard D'Innocenzo, Member*

Board of Selectmen's Meeting Minutes

August 21, 2012, 6:00 p.m.

Sanford Hall, 155 Village Street

Present: Chairman Andrew Espinosa; Selectmen Dennis Crowley, John Foresto, Richard D'Innocenzo, and Glenn Trindade; and Town Administrator Suzanne Kennedy.

The meeting was called to order at 6:03 p.m.

Selectman Foresto moved that the Board enter into Executive Session under Exemption 2 to conduct strategy session in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, and under exemption 3 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 with the intent to return to public session immediately following executive session; Selectman Crowley second; No discussion; All ayes 4-0-0.

The Board returned to public session at 7:02 p.m.

Public comment: The Board welcomed the new Chairman of the Finance Committee Jeff O'Neill.

Public Hearing for Property at 5 West Street:

Selectman Trindade moved the Board open the public hearing relative to the property at 5 West Street at 7:05 p.m.; Selectman D'Innocenzo second; No discussion; All ayes 5-0-0

Selectman Trindade reported that certified letters had been sent to the five heirs of Robert Cahill, who is the listed owner of the property, requesting their appearance at the public hearing. Selectman Trindade called each of their names to confirm their presence but none of the heirs or their representatives were present. The purpose of the public hearing was to discuss the condition of the property at 5 West Street and hear testimony so the Board could make a determination as to whether they needed to make an order adjudging the property to be a nuisance to the neighborhood. Medway's Building Commissioner John Emidy testified that he had re-inspected the property and found it to be unsafe, as well as open to the elements and feral animals. He recommended that the Town remove the building on the property. The Board clarified that the Town would not be taking ownership of the property, only demolishing the structure that is on the property. The Board asked that the building be demolished by the end of November and asked Building

Commissioner Emidy to keep them updated on the progress, particularly if they are not going to make the end of November deadline. Town Administrator Kennedy will follow-up with Town Counsel to discuss the ownership of the property and next steps. Selectman Foresto asked that removal of the boat and trailer be added to the scope of work. These particular items are located within Town of Bellingham limits, so Town Administrator Kennedy will follow-up with the Town of Bellingham on cleaning up their portion of the land.

Selectman Trindade moved that the Board accept the findings of Building Inspector Emidy that the building at 5 West Street is unsafe and a nuisance and issue an order that the Town Administrator and the Building Commissioner proceed with the intent of razing the building by November 30; Selectman Foresto second; No discussion; All ayes 5-0-0.

Selectman Trindade moved that the Board close the public hearing relative to the property at 5 West Street; Selectman Foresto second; No discussion; All ayes 5-0-0.

Review and Approval - Guidelines for Land Gifts: The Board made an initial review of the Guidelines for Land Gifts. The goal is to create a set of criteria that will help guide the Board's decision when they are approached by property owners looking to donate or gift a piece of land to the Town. The Board agreed that these are only guidelines and that they are not obligated to follow them. Administrator Kennedy will forward the policy draft to the Open Space Committee, Conservation Commission, and Planning and Economic Development Board for their comments.

Approval - One-Day Licenses (Alcohol and Entertainment) - Medway Community Farm - August 27, 2012: The Medway Community Farm is holding their *Farm to Fork* fundraiser on Monday, August 27, 2012 from 6:00-9:00 PM at the farm. The farm is partnering with Tastings Bistro to create a menu that uses produce from the farm.

Selectman Trindade moved that the Board approve a one-day liquor license for the Medway Community Farm's *Farm to Fork* event scheduled for August 27, 2012; Selectman Foresto second; No discussion; All ayes 5-0-0.

Selectman Trindade moved that the Board rescind the previous motion regarding the Medway Community Farm's event; Selectman Foresto second; Discussion- Selectman Trindade did not include the one-day entertainment license in his original motion; All ayes 5-0-0.

Selectman Trindade moved that the Board approve one-day liquor and entertainment licenses for the Medway Community Farm's *Farm to Fork* event scheduled for August 27, 2012; Selectman Foresto second; No discussion; All ayes 5-0-0.

Authorization to Seek DOR Approval for Bonding for Middle School Project, Sewer Collection System, and Fire Truck - \$5,100,000:

Selectman Trindade moved that the Board authorize the Treasurer to petition the Massachusetts Department of Revenue for permission to bond \$5,100,000 and that the Board approve a useful life of 10 years for the fire ladder truck; Selectman Crowley second; Discussion – Selectman Trindade explained that this process is part of the deficit financing requirements. Treasurer Phillips reported that the bond has already been qualified and they are going out to bid the day after Labor Day, which is not the most desirable, due to scheduling conflicts. The Board said they can have an additional meeting if it means the Town can secure a better interest rate. Treasurer Phillips said she will speak with the Town's fiscal advisor to see if they can get a better rate by going out to bid on a different date and, if so, they will; All ayes 5-0-0.

Authorization of the Chairman to Execute BRR#3 Document Relative to Budget Revision for Middle School Construction Project - \$178,403: Selectman Crowley is the liaison to the Middle School Building Committee (MSBC) and reported that these change requests have been approved by the MSBC. The Massachusetts State Building Authority (MSBA) requires all change requests to also be approved by the Board of Selectmen as Chief Executive Officers of the community. Selectman Crowley said that the project is on budget and that these funds will be paid out of the project's contingency fund.

Selectman Trindade moved that the Board authorize the Chairman to execute Budget Revision Request #3 (BRR#3) relative to the Middle School construction project in the amount of \$178,403; Selectman Foresto second; No discussion; All ayes 5-0-0.

Authorization of the Chairman to Execute Master Service Contract with Kleinfelder Northeast, Inc. – Miscellaneous Engineering Services: DPS Director Tom Holder said that a master service contract is more comprehensive than a typical contract and provides the Town with greater protection. He said that the Town currently has a master service contract with TetraTech and he plans to execute master service contracts with all of the firms with which the Town regularly does business.

Selectman Trindade moved that the Board authorize the Chairman to execute a master service contract with Kleinfelder Northeast, Inc. for future, routine engineering projects; Selectman Foresto second; No discussion; All ayes 5-0-0.

Discussion – Beaver Matter: Town Administrator Kennedy reported that the Town received a response to its appeal from the Massachusetts Department of Public Health. The DPH said that the beaver issue along Hopping Brook does not constitute a human health or safety issue and denied the Board of Selectmen's appeal. DPH consulted Mike Callahan of Beaver Solutions on the issue and Mr. Callahan stated that the only viable option is to trap the beavers but he said they will most likely return. Administrator Kennedy will forward the response to the affected residents and invite them to a future Board meeting if they have additional questions or concerns. The Board reminded

residents that they can only trap on their own property and the dam is on property that belongs to NStar.

Discussion – Date of Fall Town Meeting: The Charter requires the Town to hold the Fall Town Meeting by the third Monday in November. Due to the general election, Veterans Day, and Thanksgiving, the Board decided to hold the Fall Town Meeting on Tuesday, November 13, 2012. Chairman Espinosa requested timing reminders should the schedule require further adjustment.

Selectman Trindade moved that the Board set the Fall Town Meeting for Tuesday, November 13, 2012; Selectman Crowley second; No discussion; All ayes 5-0-0.

Action Items from Previous Meeting:

- The next strategic planning session will be October 25, 2012.
- The Trane Project contract has not been presented to the schools yet because the last leadership meeting was cancelled.
- Planning & Economic Development Coordinator Susy Affleck-Childs and Town Counsel are working on a street acceptance timeline. They plan to meet with the residents of the Meadows in late October. Administrator Kennedy will forward the street acceptance priority list to the resident on Azalea Drive who requested additional information. The Board asked that Ms. Affleck-Childs provide the Board with an update on all parcels which need to be addressed.
- Selectman Crowley will follow-up with the State again at the end of this week on the Route 109 project.
- Administrator Kennedy reported that Town Counsel has approved a warrant article regarding the veterans memorial update.

Approval of Warrants:

Warrant - 08/23/2012

Town Bills \$ 1,477,331.52

School Bills \$ 462,882.15

Total \$

Selectman Crowley moved that the Board approve the warrants as read; Selectman D’Innocenzo second; No discussion; All ayes 4-0-0.

Town Administrator’s Report:

- Administrator Kennedy reported that the letters to the Brentwood residents have been prepared and will be reviewed by Town Counsel. She will forward them to the Board for their review before they are sent out. She said they are hoping to meet with the residents by the end of September.
- An RFP was sent out for an Economic Development Consultant for which two responses were received; interviews are planned for September 5.
- The Town was advised to go out to RFP for a solar net metering agreement instead of signing the contract with Kearsarge in the hopes of securing a better

- rate per kilowatt hour. Selectman Foresto asked Administrator Kennedy to forward the RFP to the Energy Committee for their review.
- Administrator Kennedy met with Regional Services Coordinator, Frank Hegarty, to discuss regionalizing certain programs, including a veterans' advocate who would provide outreach to Iraq and Afghanistan veterans.
 - The Town's Health Agent secured a free health mobile trailer. The trailer contains items needed in emergencies, such as cots, chairs, blankets and a generator and will serve to augment the work which Chief Tingley has in play with the Red Cross.

Selectmen's Reports:

Selectman D'Innocenzo

- Selectman D'Innocenzo has met with the Evaluation of Parks, Fields and Recreational Areas Committee (EPFRAC), which plans to have the RFP relative to the evaluation of the Town's recreational areas finalized by the third week in September. Mr. Espinosa added that they are also planning to develop a service-level agreement for the maintenance of parks and fields that the Selectmen can review and decide whether to move forward with it.

EPFRAC is on target to get an article on the Fall Town Meeting warrant to fund a Parks Master Plan.

Selectman Crowley

- Medway has appropriated its portion of the funds for the Sanford Street Bridge and is waiting on Franklin before the project can begin.
- Selectman Crowley would like confirmation on whether an affordable housing unit was changed to a conventional housing unit. He suggested having the Housing Coordinator report on the matter at a future Board meeting.
- The Medway 300 kick-off event is a town-wide yard sale. They are hoping to have 75-100 homes participate. The proceeds will benefit the Medway 300; applications are still available and donations can be dropped off at the Medway Plaza.
- Selectman Crowley would like to know when the trench paving on 109 will begin.
- Selectman Crowley has message into Doug Downing to request a meeting relative to the Charles River Water Treatment facility.

Chairman Espinosa

- Two new members have been appointed to the Finance Committee.

At 8:10 p.m. Selectman Foresto moved to adjourn; Selectman D'Innocenzo second; No discussion; All ayes, 4-0-0.

Respectfully submitted,
Michelle Reed

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John Foresto, Clerk
Dennis Crowley, Member
Richard D'Innocenzo, Member*

Board of Selectmen's Meeting Minutes

September 4, 2012, 6:30 p.m.

Sanford Hall, 155 Village Street

Present: Chairman Andrew Espinosa; Selectmen John Foresto, Richard D'Innocenzo, and Glenn Trindade; and Town Administrator Suzanne Kennedy.

The meeting was called to order at 6:34 p.m.

Chairman Espinosa moved that the Board enter into Executive Session under Exemption 6 to consider the purchase, exchange, lease, or value of real property, specifically, the Wickett property, if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, and to return to open session immediately following the executive session; Selectman Foresto second; No discussion; All ayes 4-0-0.

The Board returned to public session at 6:55 p.m.

Public comment: None

Authorization of the Chairman to Execute Amendment to Kleinfelder Contract relative to Integrated Water Resource Management Program as required by the Massachusetts Department of Environmental Protection: DPS Director Tom Holder stated that the original contract was executed in July 2012 but the Town has since learned that the Clean Water State Revolving Fund (CWSRF) requires that the contract contain certain language that is not currently in it. This amendment addresses the additional required provisions. Mr. Holder reported that the additional provisions have been reviewed and approved by Town Counsel and Kleinfelder.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract amendment with Kleinfelder Northeast, Inc. to incorporate the "CWSRF Required Provisions" as submitted to the Board in its packet. All other terms and conditions of the agreement remain in effect; provided, however, that if any provision in the "CWSRF Required Provisions" should conflict with any provision in the Agreement, the "CWSRF Required Provision" shall prevail ; Selectman Foresto second; No discussion; All ayes 4-0-0.

Update on Main Street Water Main Project: DPS Director Tom Holder reported that the temporary trench paving that was put down on Highland Street will be removed and redone in the next couple of weeks. He said they are currently trying to decide whether the temporary trench paving on Highland and Main Streets will remain through the

winter. He said they are required by contract to leave the temporary pavement down for at least 90 days. Mr. Holder's preference is to leave the temporary paving down through the winter to allow it to go through a full frost and thaw, which will result in a better finished product. He said that once Medway puts down the permanent pavement they take ownership of the trenches and are responsible for the road and any settling that occurs. If they leave the temporary pavement down through the winter, the contractor would be responsible for any settling or issues that arise. The Board reminded Mr. Holder that if the temporary paving remains, he and his team will need to be diligent through the winter months in responding to any issues that occur. Both Mr. Holder and Chief Allen Tingley stated that they do not think the temporary paving is a safety concern.

Selectman Trindade reported that he has heard that the project has impacted businesses on Main Street. Mr. Holder said that the negative impact was most likely due to the traffic, which is no longer an issue, and not the condition of the road. He does not expect the temporary paving to deter people from using Main Street. Chairman Espinosa suggested that DPS put pictures of the 100 year old water main that was removed on its website and also display a portion of it at the Fall Town Meeting. He said he was shocked when he saw the condition of the old pipe and thinks it would help residents understand the urgency of this project. Mr. Holder also reported that they expect to wrap up the work on Main Street in the next couple of weeks and move on to West Street.

Second Reading – Proposed Revised Alcohol Policy: The Board made an initial review of the proposed revised alcohol policy at their July 16, 2012 meeting. Chief Allen Tingley and Assistant to the Town Administrator Allison Potter highlighted the amendments that were made to the draft policy based on the Board's comments. Ms. Potter reported that they reviewed policies from other Towns and incorporated language that they thought was necessary to create a comprehensive document. The Board asked that language be added that would allow the Board to have the right to waive the \$50 fee for one-day licenses. The Board will make a third and final review and approve the policy at a future meeting.

Discussion & Vote – Timeline for Correcting Deficiencies at 5 West Street: The Board of Selectmen held a public hearing on August 21, 2012 relative to the property at 5 West Street. The Board concluded that the building on the property is a nuisance and should be demolished. Attorney Christopher Brown, who was advising the Town while Attorney Saint André was out of the office, recommended that the Board issue an Order to the heirs giving them a certain amount of time to remedy the situation. If the heirs do not take any action, the building at 5 West Street will be demolished by the Town.

Selectman Trindade moved that the Board authorize the Chair to work with the Town Administrator and Town Counsel to determine the proper amount of time the heirs should be given to remedy the situation and to execute the Order; Selectman Foresto second; No discussion; All ayes 4-0-0.

The Board also asked Administrator Kennedy to follow-up with the Town of Bellingham to see what the process was for taking possession of their portion of the property.

Vote – Opening & Closing of Fall Town Meeting Warrant:

Selectman Trindade moved that the Board open the November 13, 2012 Fall Town Meeting warrant this evening and close it on September 21, 2012; Selectman Foresto second; No discussion; All ayes 4-0-0.

Authorization of Chair to Sign Site Plan Application for Thayer Property:

Chairman of the Thayer Property Development Committee Dan Hooper said that the committee met with the Planning and Economic Development Board informally last week to review the application process. He explained that the site plan application needs to be signed by the Chairman of the Board of Selectmen because the Thayer property is owned by the Town of Medway. He said the site plan application will commence the formal proceedings.

Selectman Trindade moved that the Board authorize the Chair to sign the site plan application relative to the Thayer property; Selectman Foresto second; No discussion; All ayes 4-0-0.

Appointments to Special Panel – Parks and Fields Study: Selectman D’Innocenzo reported that they have identified representatives from the Parks Department, Community Preservation Committee (CPC), and High School and Middle School sports to serve on the special panel. The youth groups are meeting tomorrow night and plan to elect a representative. The Board of Selectman will meet Friday, September 7 to appoint the four members to the Special Panel. After the appointments are made, the Special Panel will review the RFP to make sure the scope of services is complete. They expect to release the RFP on September 30, 2012.

Action Items from Previous Meeting:

- Selectman Trindade has started to identify residents to serve on the exploratory committee for the new DPS facility. He said he would bring the final list of names to the Board of Selectmen’s meeting on September 17, 2012.
- Planning and Economic Development Coordinator Susy Affleck-Childs will attend a future Board meeting and provide the Board with an update on street acceptance. Administrator Kennedy also reported that they are scheduled to meet with the Meadows residents on September 26, 2012.
- Chairman Espinosa reported that they are currently in the process of interviewing candidates for the Economic Development Consultant position.
- Chairman Espinosa reported that the Board needs to vote and draft a letter stating that they agree with the traffic plans for Franklin, Highland, and Main Streets relative to the Route 109 project. The letter then needs to be presented to the Massachusetts Department of Transportation.

Selectman Trindade moved that the Board authorize the Chair to draft and sign a letter stating that the Board of Selectmen support the traffic plans outlined by the Route 109 Design Committee, in which Franklin Street will receive a longer traffic light at peak traffic hours; Selectman Foresto second; No discussion, All ayes 4-0-0.

- Selectman Trindade will follow-up with the Planning and Economic Development Board to set a date for a joint meeting to discuss the zoning changes for the Industrial Park. The Board also requested that the Board of Selectmen and Planning and Economic Development Board have an annual joint meeting.

Approval of Warrants:

Warrant - 09/06/2012

Town bills = \$3,029,582.78

Total \$3,029,582.78

Selectman Trindade moved that the Board approve the warrants as read; Selectman D’Innocenzo second; No discussion; All ayes 4-0-0.

Town Administrator’s Report:

- Administrator Kennedy provided the Board with an informational handout on reasons for holding executive sessions.
- She will discuss holding an informational session on the Open Meeting Law for all Town boards and committees. The Board would like it to be a casual meeting where they also have time to meet new members that have recently been appointed.
- Administrator Kennedy, DPS Director Tom Holder, and Chairman Espinosa toured the Charles River Wastewater Treatment facility. She reported that it was a very informative tour and that the Charles River Pollution Control District plans to undertake substantial capital improvements. This would increase the amount of money they are requesting from Medway and impact the Town’s sewer rates. She said she would get back to the Board when she had additional information.
- Administrator Kennedy commended the new Health Agent Stephanie Bacon on her hard work getting the word out that mosquitoes in Town have tested positive for West Nile Virus. She also reported that the Town would be sprayed between to September 5 and September 12 to address this issue.
- GATRA will be providing transportation for the Medway 300.

Selectmen’s Reports:

Selectman D’Innocenzo

- Selectman D’Innocenzo reported that they are in the final stages of putting together the Special Panel for the Parks and Recreation Study.

Selectman Foresto

- Selectman Foresto reminded residents that the Town-Wide Yard Sale to support the Medway 300 will take place on September 8, 2012. Maps can be picked up at the Medway Shopping Plaza on Route 109.
- He also reported the Thayer Property Development Committee is still planning to go to the Fall Town Meeting and ask the residents to approve the remaining project funds. They also need to file the Notice of Intent.

Chairman Espinosa

- Chairman Espinosa reminded residents that the primary election will take place on September 6, 2012 at St. Joseph's.

Approval of Minutes:

Selectman Trindade moved that the Board approve the meeting minutes from April 11, 2012; Selectman Foresto second; No discussion; All ayes 4-0-0.

Selectman Trindade moved that the Board approve the meeting minutes from April 17, 2012; Selectman Espinosa second; No discussion; All ayes 4-0-0.

Selectman Trindade moved that the Board approve the meeting minutes from May 7, 2012; Selectman Foresto second; No discussion; All ayes 4-0-0.

Selectman Trindade moved that the Board approve the meeting minutes from May 14, 2012; Selectman Foresto second; No discussion; All ayes 4-0-0.

Selectman Trindade moved that the Board approve the meeting minutes from June 4, 2012; Selectman D'Innocenzo second; No discussion; All ayes 4-0-0.

Selectman Trindade moved that the Board approve the meeting minutes from June 18, 2012; Selectman Foresto second; No discussion; All ayes 4-0-0.

At 8:05 p.m. Selectman Foresto moved to adjourn; Selectman D'Innocenzo second; No discussion; All ayes, 4-0-0.

Respectfully submitted,
Michelle Reed

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Glenn Trindade, Vice Chairman
John Foresto, Clerk
Dennis Crowley, Member
Richard D'Innocenzo, Member*

Board of Selectmen's Meeting Minutes

September 7, 2012, 7:00 AM

Town Administrator's Office

Town Hall, 155 Village Street

Present: Chairman Andrew Espinosa; Selectmen John Foresto and Glenn Trindade.

The meeting was called to order at 7:10 AM.

The Chairman led the Board in the Pledge of Allegiance.

Public comment: None

Appointments to Evaluation of Parks, Fields and Recreational Areas Committee

Selectman Trindade moved that the Board appoint Richard D'Innocenzo, representing the Board of Selectmen, Ross Rackliff, representing the Parks Commission, Robert I. Reagan, Jr., representing the Community Preservation Committee, Robert Pearl, representing the High School and Middle School, and Mark Diebus, representing Youth Sports, to the Evaluation of Parks, Fields and Recreational Areas Committee. The motion was seconded by John Foresto and unanimously voted: 3-0-0.

Mr. Trindade stated that he attended the youth sports meeting at which the designee to the Evaluation of Parks, Fields and Recreational Areas Committee (EPFRAC) was selected. He noted Pop Warner, soccer, baseball and lacrosse were represented. There was a healthy dialogue about field issues and potential resolutions. He said that some of these sports groups are helping to maintain the fields.

There was general discussion about the field maintenance and what the future holds. There was consensus that the Board would like to see some improvements made to how this is handled.

Mr. Espinosa informed Mr. Trindade he would like to coordinate the opening of MABA's season with the dedication of the new gym at the Middle School.

Mr. Trindade stated that, in keeping with the Board's previously stated goals, he would like to help promote the Route 109 redesign to businesses. Mr. Espinosa stated that the new Economic Development Consultant could aid this effort, once the individual is officially employed by the Town. He said he has also spoken to Planning and Economic Development Coordinator Susy Affleck-Childs about making some small cosmetic

improvements to Rt. 109, such as fixing some roadway signs and removing unnecessary ones. Mr. Foresto added that the new consultant could be introduced to the Medway Business Council at a future meeting.

At 7:30 AM, Mr. Trindade made a motion to adjourn, seconded by Mr. Foresto, and unanimously voted: 3-0-0.

**Board of Selectmen's Meeting
September 11, 2012, 7:00 PM
Medway Senior Center
76 Oakland Street**

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

Also Present: Melanie Phillips, Finance Director; Jeffery Lynch, Fire Chief (arrived at 7:20 PM).

There being a quorum present, Chairman Espinosa called the meeting to order at 7:00 PM and led in the Pledge of Allegiance.

Chairman Espinosa asked for a moment of silence in memory of lives lost in the World Trade Center tragedy on September 11, 2001.

Public Comment: None

Award and Sign Bond Documents – Middle School Repair Project, sewer collection system and fire truck -- \$5,100,000:

The Board reviewed descriptive information regarding the General Obligation Bond Award, dated September 15, 2012; and Yield Curve Comparison for GO Bonds, dated September 5, 2012.

Ms. Melanie Phillips, Finance Director, reported that this particular bond went out to bid on September 5, resulting in 8 bids. The rate on the bids ranged from a low of 1.98% to a high of 2.145%. The second bidder lost the bid because they offered less of a premium. Ms. Phillips was pleased to see three new bidders this time around, noting that this means the Town's rating is good. Referring to the handout titled Yield Curve Comparison, she pointed out that it depicts Medway's performance against both the AA and AAA scale ratings. The winning bid was FTN Financial Capital Markets with a TIC of 1.93105% with a premium of \$142,091.50. Ms. Phillips stated the Board must vote in order to award the bid.

Selectman Foresto moved that the Board of Selectmen award the General Obligation Bond for \$5,100,000 dated September 15, 2012 to FTN Financial Capital Markets with a TIC bid of 1.983105% and a premium of \$142,091.50; Selectman Crowley seconded. Responding to a question from Selectman Crowley, Ms. Phillips explained how the bid process, rates, and debt service are handled. VOTE: 3-0-0.

Discussion -- Fire/EMS Department:

The Board reviewed documents reflecting emergency calls for calendar years 2010, 2011, and 2012.

Present: William Mergandahl, Pro EMS.

Ms. Kennedy reported that Fire Chief Lynch would arrive shortly, as he was presently on a call. Mr. William Mergandahl, EMS Billing Coordinator with Pro EMS, was available to answer questions. He noted that additional software is necessary to help with billing. Data and knowing what you are doing is critical to making decisions about the EMS system as well as fire suppression. A lot of calls are related to EMS, but the department still needs the capability to record and respond to fire calls. The Town needs the ability to capture the information. Currently the Town has no capability to go into the dispatch software and quickly produce batch information of different kinds of calls. A specific software module is necessary, which costs roughly \$12,000 - \$15,000, plus training costs. As long as the software system is configured correctly when it is installed, it is fairly intuitive and training would be minimal. Typically report data is noted on drop down menus, not anything in a text format. The present system is designed to capture police data, not fire data. Mr. Mergandahl indicated it is difficult to tether the computer-aided dispatch record with what actually happens in the field, and a lot of information is lost. With the Fire and EMS modules, it would be impossible to leave out critical information due to flags and alerts when initial data is entered.

Mr. Mergandahl stated that hydrant information (active vs. inactive, pressure load, etc.) can be loaded into the system, as well as floor plans of area buildings. Selectman Crowley wanted to know who would enter all that information. The Fire Department staff would have to enter some information just as the Department of Public Service staff enters some information into their system. GIS data is also utilized. A record of disabled persons would be available in the system. A couple of months of close supervision will get a lot of people on track on how to use the system, i.e., entering information, creating reports and accessing data.

Selectman Foresto stated the annual reports were put together to show whether there were significant differences between the early shift versus the late shift, costs, revenues, etc. Selectman Crowley briefly spoke about a previous process when a similar comparison was made years ago. Mr. Mergandahl stated that typically emergency call volume goes up by 3% annually, mostly due to increase in elderly population. He pointed out that these reports are only for emergency calls, not the fire suppression calls. Discussion followed.

The report showing 2012 calls was closely reviewed. Fire Chief Lynch explained that an "all call" is when dispatch pages all available EMTs if an EMT is not assigned to the shift. There could be zero response or as many as five people show up. The call goes out every 5 minutes or so. Chairman Espinosa asked how detailed the information in the database is, as he is interested in additional data. Mr. Mergandahl stated the report is made up of data points, and much more information can be pulled into a report. Chief Lynch stated the reporting software can be as detailed as one would like it to be. Chief Lynch reported that he was informed that the company that supplies the current reporting system is going out of business. He indicated he tried to reach Customer Support without success.

The Board reviewed the 2011 report and Selectman Crowley wondered, of the ones the department responded to, how many of the calls could be successfully billed. Mr. Mergandahl advised using a 90-day lag period which allows time for payments to come in against bills and thus that could not be answered accurately just yet. He noted there are more people with third-party insurance than Medicare, Medicaid, etc., which benefits the Town. Discussion followed including salary for ALS-certified personnel vs. BLS-certified personnel.

Chairman Espinosa suggested that the purpose of this meeting to get familiar with the system, noting that the Board needs to understand this from an operational standpoint before moving forward too

quickly. Ms. Kennedy added that this exercise was to point out the weaknesses in our current system. Selectman Crowley theorized that adding two additional people to the department would increase coverage, increase the ability to respond, thus creating billable units. It is important to understand the costs before moving ahead to looking at the potential revenue. Perhaps it is better to start with BLS personnel and move to ALS as the Town can afford it. Selectman Crowley asked how long it takes for volunteer firefighters to get to a fire at 3 AM. Ms. Kennedy wondered if outsourcing might provide some options. Mr. Mergandahl responded that the fire suppression piece cannot be outsourced.

Selectman Foresto asked Chief Lynch if there are other factors that the Board needs to consider. Chairman Espinosa added that there is a lot to learn, in order to understand and make some strategic decisions. Selectman Crowley noted that this information will help the Board make good decisions during budget time.

It was noted that there is no way to answer call response time with the current system. Ms. Kennedy stated she would like to recommend an article at Fall Town Meeting to buy the software.

Selectman Crowley wanted to know the cost to add two additional people, and the cost for two additional people plus ALS certification, and, finally, the anticipated cash flow and revenue over the next three or four years.

Referring to the missed calls, Mr. Jeff O'Neill, Chairman, Finance Committee, asked if there is a cost associated with that or if it is just lost revenue. While there is no immediate cost, Selectman Crowley suggested there really is because the Town is paying people to respond, even if the patient opts not to be transported. Revenue comes in only if the person is transported, yet the personnel costs will be there regardless. Mr. Mergandahl clarified that roughly 25% of those calls are not transported to a medical facility. Chief Lynch noted that hardship cases might be forgiven by the Town, but an independent service may not forgive the bill for those with financial hardship.

Selectman Crowley moved that the Board ask the Town Administrator to prepare a cost analysis for adding the EMS and Payment Modules for the existing EMS System; Selectman Foresto seconded. It was noted that this software will work with the existing Fire House system. VOTE: 3-0-0.

Selectman Crowley asked Ms. Kennedy to add amortized costs of the new ambulance to the report she will be preparing. That way we can see whether we are actually bringing revenue over the costs.

Regarding the contract for ALS intercept calls, Ms. Kennedy stated that, though it is out-of-date, it is valid. She indicated she would like to have an updated contract, one that Chief Lynch will negotiate with the aid of Town Counsel, in order to provide increased protection for the Town. Mr. Mergandahl noted that rates for the ALS intercept calls vary from \$200 per call (Medway) to \$500 (Belmont). Medway currently waives copays for Medway residents, something that eliminates one piece of the billing process. There are always a lot of cash payments that are not collected in time to be part of the current report. Brief discussion followed on aspects of current billing and revenue, noting that only a year's worth of data from the present billing company can be examined.

Fire Chief's Report:

Fire Chief Jeffery Lynch apologized for being late. He stated the department is functioning and the firefighters did an excellent job at yesterday's fire; he was pleased with their performance. He expressed concern for the lack of training, particularly with newer members of the department. He

noted that he asked each member to provide a summary of their training, suggesting this would be something the new software could track. A good portion of the firefighters do not meet the national standard and he feels that they should. He said the department can send members to training (42 courses over a period of eight months) or do an in-house training. Due to financial constraints, he has opted to do the in-house training while trying to come up with a creative way to provide the training with little cost. After the training is complete, firefighters can go to the firefighting academy for testing to obtain certification. Selectman Crowley asked if the training could be postponed until FY14 with the idea that potential funding might be secured through grant funds. Chief Lynch stated that only seven or eight firefighters are certified. He added that the men are willing to train; they just have to find a way to do it. Selectman Foresto asked if they need to eventually recertify. Chief Lynch responded that training is typically provided on a monthly basis, but that there is no recertification process.

Chairman Espinosa wanted to know if lack of training has always been an issue, and what the liability and risk to the Town are. It was noted that if it is not addressed, and there is a fatality, there could be legal repercussions via wrongful death suit.

Chief Lynch stated it is not clear how things were done in the past, but assumed that the previous chief usually made the promotions. He would prefer to have something quantitative in a promotions procedure as there is currently no testing or list of qualifications specific to each position or promotion. There are guidelines for Fire Officer 1 and Fire Officer 2, but nothing that says that a lieutenant has to have certain skills or education. He would also like to move toward standardization of positions and necessary qualifications, adding that, anecdotally, it was probably a "who you know" type of situation. Responding to a question from Selectman Crowley, he stated that he wants to train the command staff as well, but he does not have a real clear picture of things and needs more time for assessment.

Chief Lynch continued, stating he could not believe the fire alarm panel in either station is not working. He is currently in the process of getting estimates for replacing the alarm systems; all the firefighting equipment is in those two buildings, without protection. He is also concerned that there are parts of town without hydrants. He stated he has proposed the purchase of a tank truck that carries 3,000 gallons of water to the CIPC. Each engine holds 1,000 gallons, and the ladder truck holds 250 gallons. Yesterday the department knocked down the fire with approximately 1,000 gallons of water.

Brief discussion followed on deployment of staff, noting concerns for keeping a good number of available staff. When the department operates on a "on call" basis, one never knows how many people will show up. Some days there may be no one. If there were more "call" individuals, he could form companies or teams to man a truck. He stated he is losing on-call firefighters. Some individuals are getting jobs with other departments, another is moving out of town, and another is interviewing. Ms. Kennedy noted that there is a local bylaw that allows residents of contiguous communities to participate in an on-call basis.

Ms. Kennedy asked Chief Lynch to explain how the Town of Holliston handles its department. Chief Lynch explained that out of 86 people on staff, there are 10 people assigned to each of 4 or 5 engines, as well as a couple of ambulance companies. Staff members are required to be on duty for specific times. It was noted that the Holliston Fire Department has a much larger budget, and can pay stipends and health benefits. Ms. Kennedy stated she would like to develop a spreadsheet that will list staffing and budget requirements, compare nearby towns, to see the commonalities and differences, which will help in decision-making. Chief Lynch noted that Medway does not have a structure that supports assignment of personnel with the expectation that they will be there. Not knowing how many people will respond

makes it difficult to staff efficiently or safely, and it is also difficult to tell the extra people they are not needed at the site.

Chief Lynch stated he is a firm believer in physical fitness, and would like to implement a physical fitness program. For the paid personnel, there is a standard that says the department should be conducting annual physicals. For the call personnel, there is no such requirement, and he would like to implement one. By instituting one in Portsmouth, just by having a small gym in the station, injuries and absenteeism were reduced. Line-of-duty injuries were reduced by 80%. Camaraderie among the firefighters would make it enjoyable while accomplishing the fitness objective. There are already a couple pieces of equipment in the station now.

Selectman Crowley suggested the pay scale for the call personnel needs to be examined, perhaps over a five-year window. He would like to build the training into the FY14 budget, expressing concern that an announcement of being untrained might install fear in residents. Discussion followed. Chief Lynch clarified that all the firefighters have had introductory training sessions, but are not trained to the national standard. Selectman Crowley suggested Chief Lynch develop a plan on how he would implement the training program; Ms. Kennedy suggested it could be considered when the Board is preparing the Town Meeting Warrant.

Responding to a question from Selectman Crowley, Chief Lynch stated that training would be on the top of his wish list for \$50,000. Training is a priority, as it reduces liability, and increases safety for the firefighters and the public. The Chief stated that some of the firefighters may have gained enough experience and training over the years that they could pass the test at the academy, and that is acceptable to him. He added it would be nice to have some additional firefighter/EMTs. If more personnel are ALS certified, it is possible to get more mutual aid calls and transports. Mr. Mergandahl noted that mutual aid is reciprocal, but those relationships need to be developed. It was noted that if some people advance to the AL level, other firefighters can be hired from the paramedic list.

Chairman Espinosa suggested that a five-year plan requires understanding the mission. He posed the questions: Do we want to maintain the existing level or increase it? Does that include being a source for aiding other towns, or being the best possible department for Medway? Selectman Crowley noted this should be a service-driven decision, not revenue-driven. He admitted that, in a small town with limited resources, showing the revenue stream might make it easier to sell to the residents.

Chairman Espinosa asked for Chief Lynch's input on what he has experienced since his arrival and what the Town can afford. Chief Lynch stated he has serious issues with fire prevention in town. Inspections are lacking, and business or property owners have been allowed to do things with alarms or sprinkler systems that the law does not provide for, which is a liability to both parties. He noted that he did an inspection of a day care center recently where the alarm system was deactivated. There are enforcement codes that establishments must comply with but because the Fire Department lacks recordkeeping, there is no way to know the status. It is the owners' responsibility to keep their systems up to date, but the Town is accountable to do the inspections. Chief Lynch stated that, thus far, he has not been able to find records of past inspections.

During the budget process last year, Ms. Phillips tried to analyze three years of data on fire alarm calls. There is currently a bylaw that references false calls, but there have to be a certain number before charges begin. Selectman Crowley suggested it is time to start charging. It was noted that there are numerous calls to Lovering Heights every month that turn out to be false alarms. Chief Lynch added

that there are some programming issues with the alarm system, and the facility put heat detectors instead of smoke detectors in the kitchens. Selectman Crowley stated that it is important that the other Board members agree in order to develop a policy about charging for false alarm calls. Chairman Espinosa added that the way the matter is packaged for presentation at Town Meeting is important.

To summarize the spirit of the meeting, Selectman Crowley stated that training is crucial toward enforcement of fire regulations. The fire house alarm panels need to be in proper working order. Chairman Espinosa stated that the cost should be presented as an Emergency Transfer Request to the Finance Committee. Chief Lynch estimated the panel at the headquarters would cost around \$4,500. Regarding the training, he indicated the firefighters are dedicated and work together very well.

Chairman Espinosa stated he was glad Selectman Crowley made this an important issue and also for suggesting this meeting. The Board thanked Mr. Mergandahl for his invaluable assistance and for coming all the way from Cambridge. At this time, Mr. Mergandahl left the meeting.

Selectman Crowley stated that Mr. Mergandahl was extremely helpful in this discussion as well as preparation beforehand. He inquired as to the charge for those services; Ms. Kennedy responded no invoice has been submitted though she has requested it on several occasions. Discussion followed on an appropriate fee.

**At 9:09 PM Selectman Foresto moved to adjourn; Chairman Espinosa seconded. No discussion.
VOTE: 3-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen
Sanford Hall
155 Village Street**

September 17, 2012 – 6:00 PM

Present: Chairman Andrew Espinosa, Selectman Dennis Crowley, Selectman Richard D’Innocenzo, Selectman John Foresto, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy.

Also Present: Barbara Saint Andre, Town Counsel; Tom Holder, Director, Department of Public Services; David D’Amico, Deputy Director, Department of Public Services; Susy Affleck-Childs, Planning and Economic Development Coordinator; Carol Pratt, Town Accountant;

At 6:02 PM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.

Executive Session:

At 6:02 PM Chairman Espinosa moved that the Board go into Executive Session for the following reasons: (1) Exemption 3 – 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 (2) Exemption 6: to consider the purchase, exchange, lease or value of real property if the chair declares than an open meeting may have a detrimental effect of the negotiating position of the public body, specifically Brentwood, Route 109 and Wickett property matters, with the intent to return to public session immediately following executive session; Selectman Trindade seconded. No discussion. Roll Call Vote: 5-0-0 – Crowley, aye; D’Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye.

At 7:01 PM Chairman Espinosa reconvened public session. Selectman Crowley rejoined the public session.

Public Comments: None

Approval – Increase Senior Tax Work-Off Capacity:

The Board reviewed the following information: (1) Memorandum from Missy Dziczek, Director, Council on Aging, dated August 20, 2012; and (2) Email thread (August 15-16, 2012) between Missy Dziczek and Will Naser, Principal Assessor.

Ms. Missy Dziczek, Director, Council on Aging, explained that she has not approached the Board on this matter for a couple of years. The program allows residents over 60 years of age to work off up to \$1,000 of their local taxes by working 125 hours annually for a Town department. FY2014 taxes are currently being “worked off”. The program allows 75 people to participate, and she would like to increase that allotment up to 85 people. Ms. Dziczek added that the Assessor’s office has approved the request. She noted that she hated to turn down people interested in the program, and asked the Board if it would increase the number of participants.

Selectman Trindade moved that the Board approve increasing the number of Senior Tax Work-Off participants from 75 to 85 for tax year FY2014; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Approval – Executive Office of Elder Affairs FY2013 Formula Grant, \$14,021:

The Board reviewed the following information: (1) Notice of Grant Award dated August 20, 2012; and (2) FY2013 Formula Grant/Allocation – Statement of Authorization and supporting documentation.

Ms. Missy Diczek reported that the state allows \$7 per senior to spend on certain criteria. Based on the last census the Town has more seniors this year, 2,003 people over 60. She noted that, considering the number of residents over the age of 55, those numbers will be increasing quickly. The Council on Aging has \$14,000 allotted, which will be used to fund a part-time outreach worker, a volunteer coordinator, and possibly a new computer or two. Responding to a question from Chairman Espinosa about long term projections, she theorized that people will always need Council on Aging services and the Senior Center.

Selectman Trindade moved that the Board approve the FY2013 Formula Grant from the Executive Office of Elder Affairs in the award amount of \$14,021 and authorize the Chair to execute the associated Statement of Authorization; Selectman Foresto seconded. Selectman Foresto advised Ms. Diczek to purchase the computers through the IT department to take advantage of any discounts. VOTE: 5-0-0.

Update – Street Acceptances:

There were no documents submitted for this matter.

Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, reminded the Board that the Town was attempting to target two subdivisions each year, and last January Claybrook II and Meadows were selected. She reported that she has received inquiries about roads in other areas during the past few months.

Chairman Espinosa asked how they determine the priority. Ms. Affleck-Childs responded that there is a lengthy list of long-standing subdivisions with unaccepted streets dating back to the mid-90s. Every year they chip away at a few that are manageable. There is a master list, but because some have some big problems, they try to work “on the low hanging fruit” first. In some cases, such as Meadows, the developer did not maintain ownership of the road it cannot be conveyed to the Town. In Claybrook II, the developer did retain ownership, but there are other problems.

Referring to the Claybrook II subdivision, Ms. Affleck-Childs reported that the title research has just been finished, and the as-built plans have been completed. The bond funds have been secured. The Department of Public Services has put together an inspection punch list for \$46,000 worth of work. Until the Town owns the road, however, no work can be done on the street.

Selectman Crowley asked how long the process would take. Ms. Affleck-Childs responded that they expect to present the street acceptances to the 2013 Annual Town Meeting next spring. For Meadows, the title research was completed mid-August, and a neighborhood meeting will occur on Wednesday, September 26. Town Counsel will be there to explain the next steps. They are hoping for a “friendly taking” because the developer did not divide the parcels properly. The build-out is done, and no

remedial work is necessary. Bond funds can only be used to work on the road, but not for legal costs. At this time, \$36,000 remains. It was suggested that a new punch list be determined for this road to see if anything is left to be done before the bond money is returned to the developer. Any work would have to be done before the road can be accepted. The punch list has to be forwarded to the developer, and if he declines, then the work could be done by the Town at the developer's expense.

At this time, Chairman Espinosa recused himself from the discussion as he lives in the Meadows development.

Ms. Kennedy asked if any road work has to be done before Town Meeting approval. Ms. Affleck-Childs responded that, if the developer does it, the work has to be complete before any vote.

Ms. Kennedy reminded the Board that, during every annual budget period, it is hoped that one or two subdivisions can be completed.

Regarding Azalea Drive, the Town is still working on the numbers. Ms. Affleck-Childs has responded to the resident who made the inquiry, specifically that Azalea Drive would be part of the discussion in January 2014. The Conservation Commission will be involved and will be researching original Order of Conditions. It was noted that the inquiry pertained only to the eastern half of the neighborhood.

Selectman Crowley asked Ms. Affleck-Childs to please notify the resident of the meeting when the Planning Board will discuss this.

Authorization of Chairman to Execute Contract for Central Fire Station Roof Replacement – One Way Painting and Roofing -- \$49,265:

The Board reviewed a contract and associated documents.

Mr. Tom Holder, Director, Department of Public Services, was present to answer any questions from the Board. Brief discussion followed on comparison to other bids for similar projects, prevailing wages, etc. It was noted that Mass. General Laws direct whether or not prevailing wage is considered, typically due to the type of construction.

Selectman Trindade moved that the Board authorize the Chair to execute a contract with One Way Painting and Roofing in an amount not to exceed \$49,265 for the replacement of the Central Fire Station roof; Selectman Foresto seconded. No discussion. VOTE: 4-1-0 -- Crowley opposed due to the significant impact of prevailing wage on the cost of the contract.

It was noted that the contract indicated that the work will be done by November, 2012.

Presentation – Auditor's Report/Other Post-Employment Benefits, the Segal Group:

The Board reviewed a Report entitled "Actuarial Valuation and Review of Postemployment Benefits as of June 30, 2011", prepared by The Segal Group, Inc.

Present: Carol Pratt, Town Accountant; Daniel J. Rhodes, Segal Group

Mr. Rhodes briefly reviewed the Auditor's Report prepared for the Town of Medway, its primary focus being on the unfunded liability section to fund the medical benefits for employees after they retire from employment with the Town. Other Post-Employment Benefit (OPEB) accounting is fairly new, within the

last five years or so. As a form of deferred compensation, communities are being advised that expenses be accumulated before employees retire. Ideally, from the moment they begin employment, if possible, and recognizing the liabilities as the employee works. Mr. Rhodes compared this program as being similar to a pension program.

Mr. Rhodes proceeded through main sections of the report, including areas discussing discount vs. non-discounted percentage rates, deposits, effect on bond ratings, accounting principles and standards. In conclusion he emphasized that the program is designed to be a long-term view of assets. It should be set up like a mortgage, for example, divided into 30 years, and invested as a retirement system. Each employee added to employee rolls will impact the numbers.

Selectman Trindade wondered how other states handle this situation. Mr. Rhodes responded that, in a lot of states, the provision for benefits is not codified in law, like it is in Massachusetts. Brief discussion followed. Mr. Rhodes noted that he represents 75 communities. Medway is very similar to what other communities are doing, just getting started with their programs.

Selectman Trindade suggested this be a topic for a future Legislative Breakfast where state representatives could participate in the discussion, with the idea that, hopefully, the state could become involved in helping to fund it in some way.

Chairman Espinosa requested that this report be placed on the Town's website for residents to review.

Authorization of Chairman to Execute Contract for Economic Development Specialist, Claire O'Neill:

The Board reviewed the following information: (1) Contract; (2) Request for Proposal (RFP), dated July 27, 2012; and (3) RFP, dated August 10, 2012, submittal by Claire O'Neill.

Ms. Kennedy reported that she and Ms. Susy Affleck-Childs have been collaborating on this effort for several months. A search committee was established, and several candidates were interviewed. Ms. Kennedy suggested Ms. O'Neill attend the October 1 meeting. Chairman Espinosa provided a background for residents, noting that the Board of Selectmen set aside funding for the Economic Development Committee to focus on developing the commercial and industrial base in Medway, which necessitated additional staff.

Ms. Affleck-Childs stated that Ms. O'Neill has an impressive background with good contacts. Selectman Trindade added that Ms. O'Neill is someone who was looking for part time work around her children's schedule, and she comes with great credentials.

Selectman Trindade moved that the Board authorize the Chair to execute a contract with Claire O'Neill to provide services as Economic Development Specialist for 19 hours per week for the period October 1, 2012 through June 30, 2012 as outlined in the proposal submittal; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Discussion – Town Seal:

Present: Matt Buckley, Julie Fallon, other members of the Design Review Committee.

[Design Review Committee inquired as to whether or not the Board of Selectmen would agree to its looking at revamping.....] Chairman Espinosa explained that the Board of Selectmen asked the Design Review Committee to take a look at revamping the Town Seal to possibly update its appearance and

coordinate with the Medway 300 celebration. He emphasized that feedback from the public is always welcomed before any decisions are made.

Utilizing a PowerPoint presentation, Mr. Matt Buckley reviewed various badges and logos used by the Department of Public Services and the Fire Department that incorporated the Town Seal in some way, yet some changes were made for those badges. He noted that if the seal becomes too small, it is difficult to make out the words or design.

Mr. Buckley continued, noting that originally symbols were chosen that would represent the Town. He indicated there was uncertainty surrounding how many seals there have been. The committee found evidence of at least two, the original one being very simple, and the second developed for the bicentennial. Selectman Trindade offered that original seals merely said that a town was incorporated, and later in the 19th century towns started adding their history or specific designs to their seals.

Chairman Espinosa suggested that, without an official town seal, it is likely the seal may become construed into a variety of different things over time and there will be nothing consistent. He added that it is important that we at least establish what the seal is, in order to give it the history it deserves.

Mr. Buckley utilized a statement from the Master Plan to describe the committee's mission, and then moved to early suggested artistic revisions, progressive changes in artwork, examination of the symbols and what they mean, design choices and emerging themes. He asked what other aspects might be considered. Concluding with a slide outlining the goals of the committee, he stated he appreciated all the work and passion people put into this endeavor, and wants to be sure that the concept of considering a refreshed Town Seal is not dismissed as a viable goal.

Ms. Maryjane White, Town Clerk, expressed appreciation for the efforts of the Design Review Committee. She offered some history on the Town Seal. In 1913 the Town commissioned a committee to look at the seal; the committee was comprised of the Town Historian, a Selectman, and an author (Mason) who wrote many books on Medway. She emphasized that a seal is not something that is updated; it represents the Town's history. She noted the seal is on every piece of letterhead that goes out, even on the last page of the high school class yearbook. It would be a shame to change the seal and lose the piece of history on which Medway was founded.

Colonel Michael Matondi stated that changes are temporary, but traditions are forever. The designs tonight are beautiful – Medway's design may not be the prettiest, but it is designed on what was endured to become a community. It represents what it meant to a population concerned with values. He might vote for a new version of the old seal, but expressed concern that the integrity of the old seal's design is protected. He declared he would personally make a sincere effort to see that the seal remain the same, adding that the more he sees of seals from other communities, the more he loves the one Medway has.

Ms. Mary O'Leary stated she came to Medway 50 years ago when the hat factories were still in operation. A wedding gift was a hat from one of her students, making hats part of her personal history. She noted that the church cannot be left out as New England is known for its churches. She said she is proud of the Town's history, and the history of the seal was taught in third grade. If the seal were "tweaked", or things included in time capsules to preserve history, those things would be of today's generations and not the history.

Mr. Mark Wolcott, President of the Medway Historical Society, stated he does want to dismiss the efforts of the Design Review Committee, but also does not want to dismiss the Town Seal. Part of his role is to preserve the past. He stated he came across a letter in the archives, dated June 1913, and read aloud, "It is an attractive seal. Your seal is surely a tremendous improvement over the traditional town seal. Signed, William Sumner Appleton." The letter had been sent to the New England Preservation of Antiquities, so the seal was not created just for the bicentennial. He added that he did not think the process was rushed, that it was carefully considered at the time. The Town seal was approved on the next warrant, and from then on, it has been on all the warrants.

Chairman Espinosa remarked how happy he was that so many people came out to work on this, and the interest that the community has expressed. Selectman Crowley asked if anyone was in favor of change, outside of the Design Review Committee.

Mr. Dan Hooper stated he was in favor of the exploration, at least to research the history and possibly to improve the execution of the design as it is used as a seal. It was not intended to be used as a 3-foot design (such as a banner), but on documents. He suggested that this is an excellent exercise to pursue in conjunction with the Medway 300 celebration, possibly going before Town Meeting in 2013.

Mr. Robert Pomponio thanked the committee for taking the time to think about updating the seal. He noted that even though he is Chairman of the Medway Historical Commission, he was at the meeting as a citizen. There is a lot of history behind the seal. He stated that what he would like to see as part of this process the seal updated it to a more graphically friendly version. He asked if they could improve on what we already have before scrapping it all.

Ms. O'Leary pointed out that senior citizens do not want it changed, but acknowledged that its appearance could be sharpened to appear clearer.

Colonel Matondi stated a family coat-of-arms does not get changed because it is that family's history. We should not take the seal away from people who wanted it intense with community spirit.

Selectman Trindade noted that, at the very least, there should be consistency, especially in the badges on uniforms of Town personnel.

Chairman Espinosa stated that the Design Review Committee is a good group to manage that process. This would include hiring a qualified professional, looking at designs, and considering options.

Selectman Crowley asked if there was a middle ground, somewhere between keeping the seal as is, and bringing more artwork to it. Keep the three components but modify them, and define the trees better so that they look like trees.

Ms. Karyl Spiller-Walsh, Design Review Committee, explained that what they want to do is fix what is broken, and in doing that, make the history better, yet maintain a rural quality. She suggested that, as a first step, the committee could bring some representations of what those three symbols could look like to the Board of Selectmen for review. Chairman Espinosa summarized that the seal can get a facelift or new options can be explored. He asked if the Design Review Committee could retain the images, but sharpen them so we can see them better.

Mr. Richard Parrella wondered how the Board of Selectmen can ask a group to be unbiased in its work going forward, when the group has a preconceived notion of what it wants. Mr. Buckley responded that is not the group's intent. The Design Review Committee understands that it is not their job to decide what the Town will do. It will work on the graphics. It is not the committee's intent to raise anyone's ire, and considered this more of a graphic exercise.

Mr. Hooper noted that history cannot change. Using an analogy from the New England Patriots freshening their logo, Pats vs. Patriots, he suggested that there is something to be said about looking forward; the history will remain because it cannot change. Individual memories also cannot change. The committee will merely change the graphic representation going forward.

Ms. White emphasized that the seal represents our Town as the time of incorporation. We are not trying to sell the town.

Selectman Crowley reiterated there must be a middle ground. There is no need to create a split in the town. All committee meetings are open to the public, and he encouraged interested residents to attend the meetings to share their ideas.

Ms. O'Leary asked if the change is minimal, such as 10%, does the changed seal still have to go to Town Meeting. Ms. Kennedy responded that any change to the Town seal has to be voted at Town Meeting. Brief discussion followed.

Selectman Espinosa thanked everyone for coming and participating in the discussion. He noted that it is important for us to have the seal, changed or unchanged, part of the Medway 300 celebration.
[Selectman Espinosa stated that the Town needed an "official" adopted Town Seal.]

Appointment – James Wieler, Community Preservation Committee Citizen-At-Large:

The Board reviewed the following information: (1) Email, dated May 17, 2012, from James Wieler; and (2) Copy of Article 25: Amended General Bylaws re: Community Preservation Committee Composition.

Selectman Trindade moved that the Board approve the appointment of James Wieler as Citizen-at-Large Member of the Community Preservation Committee for a two-year period expiring June 30, 2014; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

There were no updates relative to the Action Items.

Approval of Warrants:

The Board reviewed Warrants 13-12 and 13-12A, submitted for approval.

Selectman Foresto, Clerk, read aloud Warrants 13-12 and 13-12A, as follows:

13-12	Town Bills	\$ 982,891.91
13-12A	Town Bills	198,331.00
	TOTAL	\$1,181,222.91

Selectman Trindade moved that the Board approve the Warrant as read; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Town Administrator's Report:

Ms. Kennedy reported that she held an internal meeting with the Clean Team in conjunction with Medway 300 clean sweep project for picking up litter in the neighborhoods. Kathy McSweeney has been active with the schools on numerous cleanup projects and Ms. Kennedy has invited her to join the group. The group will meet again next Friday.

Funding has been received to create historic markers for 13 sites around Medway. Installation of the markers will be handled this fall and this coming and this coming spring. DPS will do a walk-through with Mr. Pomponio to jointly discuss the installations.

Ms. Kennedy reported the Green Communities Grant is just about complete. She is hoping to purchase a series of LED lights for the Police Department. The bulbs are made in China and it takes weeks to get delivery. She added that she is seeking authorization from the Department of Revenue to repurpose funds to install LED lights outdoors on an experimental basis to check functionality, noting that this may not happen until spring.

Selectmen's Reports:

Selectman Crowley asked to add two things to the Action Items list, specifically, the overlay account and an update on the bottle cap lots. He noted he had a brief meeting with Town Counsel, and would like to propose a joint meeting with the Planning and Economic Development Board as he believes the discussion is sufficient to warrant an executive session on October 1.

Selectman Crowley extended congratulations to Chairman Espinosa and Mr. Chris Richley. He indicated that over \$1,700 was raised for a very worthy cause.

Referring to the Route 109 paving, Selectman Crowley stated he would like to have a letter stating the change will be at no cost to the Town. He clarified that he does not want a delay claim from the contractor because the Town opted to wait until the spring to do the paving. Chairman Espinosa agreed.

Selectman Trindade wondered about the status of Highland Street, as it is not finished. He noted that the work was done by a subcontractor, not the same one who did Route 109, and the repair job is clearly substandard in its application. He deemed it unsafe for snow plows and other drivers. It was to be repaired as part of the West Street paving, and wondered what the status is. Brief discussion followed. Selectman Crowley asked for a list of the paving that is yet to be done, and if there is any savings if the Town does it rather than the contractor.

Selectman Foresto and Selectman D'Innocenzo had no reports.

Report from School Committee Liaison:

Noticing Ms. Deb Trindade in the audience, Chairman Espinosa called on her for an impromptu report on School Committee activities. She noted that the committee is shuffling meeting space due to the Middle School Repair Project, and confirmed that Thursday's meeting is at the library. She stated the committee would like to be included in any legislative breakfasts that are being planned, and noted that Saturdays work better than Fridays for them.

**At 9:29 PM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.
VOTE: 5-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

Board of Selectmen's Meeting
October 1, 2012, 6:00 PM
Sanford Hall
155 Village Street

Present: Chairman Andrew Espinosa; Selectman Glenn Trindade, Vice Chair; Selectman John Foresto, Clerk; Selectman Dennis Crowley; Selectman Richard D'Innocenzo and Town Administrator Suzanne Kennedy.

Also Present: Barbara Saint Andre, Town Counsel; Susy Affleck-Childs, Planning and Economic Development Coordinator; David D'Amico, Deputy Director, Department of Public Services; Stephanie Bacon, Health Agent; Michael Heavey, Chair, Board of Health.

At 6:15 PM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.

At 6:16 PM Selectman Trindade moved that the Board enter into executive session under Exemption 3: 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, with the intent to return to public session [namely, the Verizon Appellate Tax Board Case; and the Municipal and Fire Union Contracts]; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote: 5-0-0 – Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye. Chairman Espinosa declared that an open meeting would have a detrimental effect.

Selectman Trindade moved that the Board also enter into executive session under Exemption 6; 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 [namely, Brentwood; Oak Grove]; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote: 5-0-0 – Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye. Chairman Espinosa declared that an open meeting would have a detrimental effect.

At 7:50 PM Chairman Espinosa reconvened the public session. He apologized for the lengthy delay.

Public Comments: None

Introduction – Economic Development Specialist, Claire O'Neill:

Present: Claire O'Neill, Economic Development Specialist.

Ms. Kennedy stated she and Ms. Susy Affleck-Childs had been working together to develop a job description based on the needs determined by Ms. Affleck-Childs and the Planning and Economic Development Board. Ms. Kennedy presented a brief background on Ms. O'Neill, noting that she is very impressed with Claire's experience.

Ms. O'Neill expressed appreciation to Ms. Kennedy and Ms. Affleck-Childs for their support during the process. It has been a pleasure getting to know everyone. She stated she grew up in the United

Kingdom, came to the United States for college, and has worked in Clinton, Massachusetts, for Mass. Development and the Massachusetts Office of Business Development with areas of focus being on central Massachusetts, Brownfields and business development. The past two years she worked as Director of Economic Coordinating Council. She decided to spend more time with her young family and work part-time, and is thankful for this opportunity that suits her needs so well.

Chairman Espinosa explained for the public that this position was created to address problem areas in the Town's economic development, and to target marketable assets in Medway. Ms. O'Neill added that it is crucial to understand the commercial and industrial properties that are available in town as well as the potential uses for those properties. She noted she would like to contact business owners to learn what they think, what they like and do not like, and what they might like to see happen. This is a way to gather basic information on what the priorities are, from different perspectives. She added that zoning and recodification of some sections of the Medway Zoning Bylaw are a priority as well. Responding to a question from the Board, Ms. O'Neill stated she reports directly to Ms. Kennedy.

Discussion – Availability of Space, EDC Specialist:

Ms. Kennedy briefly reviewed the need for space for Ms. O'Neill as there is no office space available in Town Hall. There might, however, be some space in the Middle School, in the area that is currently under construction in the newly developed Business Office. The Planning and Economic Development departmental budget includes \$8,000 for rental expense, and Ms. Kennedy asked Mr. Bob McGee to determine renovation costs. She also approached Superintendent Judy Evans about a rental fee; Ms. Evans indicated there would be no fee as the school is a Town facility and the office would be for a Town employee. The estimate is \$17,600 including furniture and computer. Some of those expenses are already embedded in the budget; however, Ms. Kennedy is confident those costs can be further reduced. It was noted that, even though the Middle School Repair Project is on schedule, the space may not be available until March (potential delays included).

Discussion followed. It was noted that other office space was explored, and this option is much more economical. Ms. Affleck-Childs reported that Ms. Ann Sherry of Charles River Bank offered temporary office space as well.

Ratification – Medway Municipal Employees Local Union Contract:

The Board postponed its action on this matter until October 15.

Authorization of Chairman to Execute Contract with People GIS, \$41,350:

The Board reviewed the following information: (1) Scope of services; and (2) Contract.

Ms. Susy Affleck-Childs stated this is necessary to move ahead with Phase 2. Everyone is very happy with People GIS, and the forms and services used thus far. She noted that two key areas will be to work with the Police and Fire Departments and integrate their data. Board of Health will be included as well.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with People GIS for continued geographic information system development in an amount not to exceed \$41,350; Selectman Foresto seconded. Selectman Foresto asked if the information would be available at the dispatch center. Ms. Affleck-Childs responded it would, and there would also be a layer for residents with special needs, as well as information concerning senior citizens. Brief discussion followed on compatibility of systems, budget costs or surplus, data entry, and aerial mapping. VOTE: 5-0-0.

Authorization to Expend Grant Funds – Region 2 Emergency Preparedness Coalition Grant, \$10,000:

The Board reviewed the following information: (1) Grant expenditure authorization form; and (2) Grant award notice.

Present: Stephanie Bacon, Board of Health Agent; Michael Heavey, Chairman, Board of Health.

Ms. Bacon briefly explained that they were able to stock an emergency trailer with basic supplies and a generator.

Selectman Trindade moved that the Board authorize the expenditure of Emergency Preparedness Coalition Grant funds in the amount of \$10,000; Selectman D’Innocenzo seconded. Discussion followed on decision-making roles during emergency situations and use of the generator and trailer by other communities in mutual aid situations. VOTE: 4-0-0. It is noted that Chairman Espinosa was out of the room at the time of the vote.

Authorization to Expend Grant Funds – MIIA Risk Management Grant for Training in Heavy Equipment Use, \$5,000:

The Board reviewed the following information: (1) Grant expenditure authorization form; (2) List of supplies; and (3) Grant award notice.

Selectman Foresto moved that he Board authorize the expenditure of a MIIA Risk Management Grant in the amount of \$5,000 for the purpose of providing training to Town staff in the use of heavy equipment; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Brief discussion followed on a potential warrant article regarding loans to residents who need financial assistance to repair septic systems or connect to Town sewer. Ms. Bacon stated the program essentially funds loans to communities at zero percent, and the community loans it to residents at a low rate. Mr. Heavey noted that it helps people who may be having financial difficulty with mortgages or other obligations. If they default, the Town can attach a lien on their property to ensure repayment of the loan. Ms. Bacon confirmed there is no cost to the enterprise accounts. The program is run through the Board of Health; as Health Agent, she deems there is an emergency and administers the program. Responding to a question from Selectman Crowley regarding eligibility criteria, Ms. Bacon stated a septic system has to be subject to a system failure in order to qualify. Selectman Foresto suggested putting together some kind of guidelines on criteria, along with the judgment of the Board of Health. Discussion followed.

Vote to Sign November State Election Warrant:

The Board reviewed the November 6, 2012 State Election Warrant.

Selectman Trindade moved that the Board sign the November 6, 2012 State Election Warrant; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Class II License Request – Cheryl Hollander d/b/a Boston Classic Cars, 4J Main Street:

The Board reviewed a Class II Motor Vehicle License application, dated September 18, 2012. It is noted that the Town Treasurer and Building Department have since signed off on the application.

Present: Cheryl Hollander, applicant; Robert Potheau, owner of property at 4J Main Street.

1 Mr. Robert Potheau briefly reviewed the history of the property, noting that the Board of Selectmen
2 approved a similar license to a Mr. Roger Andrey in December 2011. Mr. Andrey did not pick up the
3 license, and he never occupied the building. He stated that Mrs. Hollander and her husband sell antique
4 cars on eBay; and they need a place to take photographs of the vehicles to post online.

5
6 **Selectman Trindade moved that the Board approve a Class II license for Cheryl Hollander d/b/a**
7 **Boston Classic Cars to be located at 4J Main Street. Outdoor parking of vehicles for sale is restricted**
8 **to four; Selectman Foresto seconded. It was confirmed that the four parking spots are not visible**
9 **from Route 109. VOTE: 5-0-0.**

10
11 **Second Reading – Land Gifting Guidelines:**

12 *The Board reviewed the following information: (1) Proposed guidelines; and (2) Comments from boards*
13 *and committees.*

14
15 Ms. Allison Potter, Assistant to the Town Administrator, reported that, on her request for feedback from
16 other groups, only the Open Space Committee and Community Preservation Committee responded with
17 comments. Selectman Trindade suggested she check with the rest of the groups to make sure that they
18 officially have no comment. Ms. Potter noted that one comment suggested changing “will” to “may” in
19 the first two paragraphs of the guidelines.

20
21 At this time Chairman Espinosa read aloud a letter from owner of land (2 acres) that abuts the Medway
22 Senior Center. The property owner stated he would first offer it to the Town because of its proximity to
23 the Senior Center. Selectman Trindade recommended that the Parks Board review the proposal, noting
24 that it is a land-locked piece of wooded land, and might work well to expand the park and increase
25 playing fields.

26
27 **Third Reading/Adoption – Revised Alcohol Policy:**

28 *The Board reviewed the following information: (1) Memo, dated September 28, 2012, outlining revisions*
29 *to the policy; and (2) Proposed Policy, with 9/4/12 revisions incorporated.*

30
31 Ms. Allison Potter reviewed the changes based on previous Board of Selectmen input, including the fee
32 waiver (page 4) for one-day liquor licenses. In the Statement of Policy section, she stated she would like
33 to list state law references regarding cover charges, specifically, that a cover charge must be clearly
34 posted, and that the cover charge cannot be sold in advance. Ms. Potter pointed out that someone who
35 has a liquor license cannot also have a BYOB policy, and suggested the BYOB option could be combined
36 with the Common Victualler licensing materials. After brief discussion, the Board agreed to have it in
37 both places. Ms. Potter will make changes and bring back for another reading.

38
39 Selectman Crowley suggested that there be a fee listed for all events, regardless of frequency, but that
40 the Board of Selectmen can waive any fee.

41
42 There was brief discussion on whether to include a fee to enroll under the BYOB umbrella as regular
43 liquor license holders must pay a fee. Concern was expressed for the BYOB establishments hurting the
44 business of those establishments with regular liquor licenses. Ms. Potter will research how other
45 communities handle it.

46
47 **Approval – FY14 Budget and 2013 Annual Town Meeting Calendar:**

48 *The Board reviewed a Draft Calendar for 2013 Annual Town Meeting and FY14 Budget Preparation.*

Ms. Kennedy pointed out that the draft calendar indicates that the Board of Selectmen would come out with its budget policy statement on October 15. She noted this may be difficult to accomplish as there are unresolved issues with the Town Accountant. Discussion followed.

Review of Fall Town Meeting Warrant:

The Board reviewed a draft of the Fall Town Meeting Warrant.

Ms. Kennedy stated the intent was to get the information out for review. She asked Board members to email her if anyone had questions between now and October 15.

Review of five-year Revenue and Expense Forecast:

The Board reviewed a draft of the Five-Year Revenue and Expense Forecast.

Ms. Kennedy reiterated there are still unresolved issues. Ms. Carol Pratt, Town Accountant, is on vacation this week. Ms. Kennedy recommended the Board look over the forecast and prepare questions as this matter will be postponed until next meeting.

Action Items from Previous Meeting:

#5 -- DPS facility – Selectman Trindade reported he will have the names of people for the committee on October 15.

#2 -- Route 109 – Ms. Kennedy reported there will be a meeting this week to get input from other committees as well as to address questions raised by the Department of Transportation. Selectman Crowley stated he spoke with Mr. Guy Rezendes of MassDOT who indicated there has been a chance in policy with regard to easements. Verizon used to be responsible for securing the easements, which is why it took so much time to move utility poles. It is Selectman Crowley's understanding that the state owns the right-of-way, and what the Town has the right to access is in the middle (for example, 30 out of 50). It is entirely possible that the poles can be moved within the right-of-way, but if the guy wire needs to be placed on private property, an easement will be necessary. It is recommended that the consultant (GPI) go back and review the drawings again based on the state right-of-way measurements. There is a local DOT representative who works with these kinds of easements. Discussion followed.

There was brief general discussion on maintenance and update of the Action Items list.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 13-14, dated October 4, 2012, as submitted for approval:

Town Bills	\$1,376,614.68
TOTAL	\$1,376,614.68

Selectman Trindade moved that the Board approve Warrant 13-14 in the amount of \$1,376,614.68; Selectman D'Innocenzo seconded. VOTE: 5-0-0.

Town Administrator's Report:

Ms. Kennedy reported that the MUNIS permitting software purchased in 2008 has proved to be very non-user-friendly. An upgrade package available in November, designed to assist customers to complete permit information, is also not particularly useful. She is now looking at using People GIS for these functions, and has asked departments to compile a list of what they want, so that a cost estimate can be determined.

A draft list of projects up for consideration by the Capital Improvements Planning Committee (CIPC) for 2014-2015 was sent out to the Board of Selectmen this week.

Ms. Kennedy reported she has been meeting routinely on the Clean Sweep Project. She will send letters out to local organizations to identify Team Leaders. One vendor has offered to provide work gloves, T-shirts, posters, etc. Ms. Kennedy said the event date would be associated with Earth Day.

Selectmen's Reports:

Selectman D'Innocenzo reported there is an October 15 deadline on the EFRAC RFQ. It is anticipated that information can be gathered in time to prepare an article for Fall Town Meeting.

Selectman Foresto stated that the Thayer Development Committee is planning on going out on a bid tomorrow on renovation costs for the Thayer house, and hopes the information will be in time for Town Meeting. Because the project was separated into Phase A and Phase B, engineering costs for Phase B had not been determined. At some point in time we will have to secure funding for the engineering work for that.

The Board decided it will meet on Thursday, October 4, at 7:00 AM, both in executive and public sessions. Discussion of the contract for the Thayer property will be on the public session agenda.

Selectman Crowley asked for information on the Route 109 paving following the water main replacement. He had previously asked for a letter specifying that the Town would not be assessed with costs related to postponing the paving until the spring. Ms. Kennedy responded that it is her understanding that Mr. Tom Holder, Director, Department of Public Services, would execute a no-cost time extension; she will get a copy of existing documentation. It was noted that an increase in cost could be tied to increase in cost of bituminous materials in 2013. Ms. Kennedy clarified that Mr. Holder and the engineer do not think there will be an increase because the price has been very stable in recent months. Chairman Espinosa expressed concern that there was no discussion of potential cost increases due to postponing this work. Ms. Kennedy will ask Mr. Holder to speak to the matter on October 15. Selectman Crowley emphasized that his concern is not so much an increase in the cost of asphalt, but that a fee could be tacked on for something else, noting there is a difference between a no-cost time extension and a no-cost delay agreement.

**At 9:31 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion.
VOTE: 5-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen
Town Administrator's Conference Room
Town Hall, 155 Village Street**

**October 4, 2012
7:00 AM**

BOARD MEMBERS PRESENT: Andrew Espinosa - Chairman, John Foresto, Dennis Crowley, Richard D'Innocenzo, and Town Administrator Suzanne Kennedy.

Mr. Espinosa called the meeting to order and led the Board in the pledge of allegiance. He then asked for a motion to enter into executive session to discuss the Wickett property.

Mr. Foresto made a motion to enter into executive session under Exemption 6 to consider the purchase, exchange, lease, or value of real property [Wickett property] if the chair declares that it would be detrimental to discuss in open session. Mr. Espinosa so declared. Mr. Crowley seconded. The roll call vote was unanimous: Foresto – aye; Crowley – aye; D'Innocenzo – aye and Espinosa – aye.

The Board returned to open session (no time indicated).

Approval of Change Order for Thayer Property Design and Engineering Services

The Board of Selectmen discussed the status of the Thayer project. Selectman Foresto reported that a contract is out to perform engineering and design work on Parcel B (not actually part of the Thayer property proper, but part of Choate Park). The work is to focus on redesign of the parking lot to double capacity and deal with the brook vis a vis the Rivers Protection Act. Mr. Foresto stated this part of the project was not originally included in the RFP due to the fact that there was insufficient funds available for it.

Funding would be from DPS operating funds; Chairman Espinosa insisted the exact account be identified and worried that something previously slated to be completed through these DPS funds may no longer be realized.

The Board of Selectmen does not have a signed copy of the contract, which will also need to go to Town Counsel for review. The Board of Selectmen would like to authorize the Chairman to sign the contract when it comes in, but wants to know where the money will be coming from.

There was discussion that a number of \$30,000 has been included. The Board of Selectmen want to know why \$30,000 is necessary when the contract is for \$20,800. The Board also wanted to know if the Planning Board has taken a formal vote on this project. It was indicated that there was a motion to support the project, but there was not a formal recommendation.

It was clarified that LLB Architects would be providing pre-construction work, including preparation of bid documents and architectural drawings, originally estimated to be \$120,000. Then, the firm would be providing construction management during the construction phase with \$30,000 proposed as the construction management fee, all of which was to be funded through CPC once Phase 2 is approved by Town Meeting vote.

It was noted that the Town does not need to go to bid again; the contract brings the project through the pre-construction phase. The construction money is not approved until Town meeting. The Board recognized that the \$20,800 needs to be pulled from another source. There was only \$150,000 approved, and this change order exceeds the funding.

Mr. Crowley asked what might happen should the Community Preservation Committee (CPC) not approve the project, as the contractor has already begun some of the associated work. If the CPC does not commit to funding, there would be some monetary exposure for the Town. Chairman Espinosa expressed concern that, after spending \$150,000 already for the Thayer project, the CPC seemed to be wavering on its commitment to it. As Mr. Foresto would be unable, Chairman Espinosa and Selectmen Crowley indicated they would attend the upcoming CPC meeting.

DPS Director Holder joined the meeting and offered that the \$20,800 associated with the contract amendment under consideration would be paid from DPS contracted services line items in each of the following DPS general fund accounts: approximately \$18,000 from the general account and approximately \$2,000 from water/sewer enterprise accounts.

Mr. Crowley made a motion, seconded by Mr. Foresto, to amend the contract for \$20,800. The vote was unanimous: 4-0-0.

Selectman Foresto reported that he has put together several business models after having spoken with several other communities which operate similar endeavors and estimated cost to be \$20,000 per year to operate. An alternative could be to lease the Thayer property out to an independent concern which would manage the operation for profit.

ROUTE 109:

The Board next discussed the Route 109 project. DPS Director Holder suggested a meeting be set with Guy Resendes. Mr. Holder estimated 70-80 poles/guy wires would require relocation and reported that his sense was that MassDOT and Verizon would be leaving the process of dealing with all the associated easements to the Town as it is the Town's desire to relocate the poles and guy wires. It was suggested that Town Counsel be hired to deal with the necessary easements. Mr. Holder further indicated that estimates would fall in the range of \$250,000 to perform both the legal work and deal with potential payment to affected property owners. Selectman Crowley stated that the State would not approve construction funding until such time that all necessary easements have been secured.

The Board of Selectmen noted that they would need to do an article to fund this aspect of the project. There was discussion about whether the project will be pushed off further. The Town has signed a time extension.

Mr. Holder noted that the Highland Street section is going to be paved. The Main Street paving will take place in the spring. The only increase in cost would be \$6,000 for an increase in asphalt pricing. The Town wants to make sure there is no cost for a time extension. Mr. Holder indicated that there is no increase in cost for the time extension.

The meeting was adjourned.

Respectfully Submitted,
Amy Sutherland

Board of Selectmen's Meeting
October 15, 2012 – 6:00 PM
Sanford Hall
155 Village Street

Present: Glenn Trindade, Vice-Chair (6:07 PM); John Foresto, Clerk; Selectman Dennis Crowley, Selectman Richard D'Innocenzo, and Suzanne Kennedy, Town Administrator. Chairman Andrew Espinosa was absent.

Also Present: Sue Ellis, Human Resources Director; Jeffery Lynch, Fire Chief; Marc Terry, Mirick O'Connell; Carol Pratt, Town Accountant; Melanie Phillips, Treasurer-Collector and Finance Director; Will Naser, Principal Assessor; Judith Evans, Superintendent, Medway Public Schools; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Stephanie Bacon, Health Agent; Allen Tingley, Police Chief.

At 6:02 PM Selectman John Foresto, Clerk, called the meeting to order and led in the Pledge of Allegiance.

At 6:03 PM Selectman Crowley moved that the Board enter Executive Session under Exemption 3: 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 [namely, the Municipal Public Employees' Local Union and Medway Permanent Firefighters Association contracts]; with the intent to return to public session; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote – 3-0-0: Crowley, aye; D'Innocenzo, aye; Foresto, aye.

At 7:00 PM Vice-Chair Trindade reconvened the public session.

Ratification – Union Contracts:

At this time, Vice-Chair Trindade announced that the Town had recently concluded negotiations with two employee unions and has two new contracts to ratify tonight. The funding associated with those contracts will be considered at Town Meeting.

Selectman John Foresto moved that the Board ratify the contract with the Municipal Public Employees' Local Union; Selectman Crowley seconded. No further discussion. VOTE: 4-0-0.

Selectman John Foresto moved that the Board ratify the contract with the Medway Permanent Firefighters Association; Selectman D'Innocenzo seconded. No further discussion. VOTE: 4-0-0.

Public Comments:

Mr. Mark Robinson, 26 Milford Street, lodged a complaint with the Department of Public Services and the ability to connect to Town water. He intends to demolish the house and replace it with a home of a similar size. As part of that process, he wants to replace the existing water line from the house to the

1 curb. The Department of Public Services intends to require that he replace the curb cock and the pipe
2 into the main, which means opening the street. Conversely, his plumber said that would be necessary if
3 the existing line were of inadequate material or size, which is not the case. Mr. Robinson stated his
4 costs would be roughly \$3,250 including fees, plus costs to repave the road. Additionally, to cut into the
5 road, he must use a contractor approved by the Town, and he is required to hire a police detail.

6
7 Mr. Robinson said that all work to be done is on his own property, and he should not have to hire police
8 detail to “supervise” when there is no danger to either pedestrians or motorists. There will be no
9 damage to the road. He noted that time is critical as the latest date to open the street is November 15,
10 and that opportunity to do so will not occur again until April 1. He stated he is putting in a modular
11 home that he will use as his residence. Further, he had to get permission from the Historical
12 Commission to demolish the existing home, had to meet with the Planning Board to move it two feet
13 closer to the road, and now there will be tests.

14
15 Mr. Robinson expressed annoyance, stating he feels like he is getting “nickel and dimed” by the Town.
16 If Department of Public Services wants to replace the pipe while the trench is open, he has no problem
17 with that. He does not, however, think taxpayers should have to pay for Town infrastructure.

18
19 Discussion followed. Vice-Chair Trindade promised to get back to him with some kind of response
20 before the end of the week.

21
22 Mr. Robert Bernardo, 34 Village Street, stated he bought the property to demolish the existing home
23 and build something new, and he is encountering a similar situation to Mr. Robinson’s. He is also
24 confused that the Town would want property owners to dig up the road. He added that he also owns
25 property at 3 Island Road, and was willing to run the water from Island Road but was told he could not.

26
27 Vice-Chair Trindade asked that each resident leave his name, phone, and email address with Ms. Karen
28 Kisty, Operations Manager.

29
30 **Discussion – Five Year Forecast:**

31 Due to the Chairman’s absence, the Board opted to postpone this discussion until November 5.

32
33 **Review, Approval and Voting of Fall Town Meeting Warrant:**

34 *The Board reviewed a draft of the 2012 Fall Town Meeting Warrant.*

35
36 Present: Melanie Phillips, Treasurer-Collector and Finance Director.

37
38 **Article 1 – Amendment Annual Authorization: Council on Aging Revolving – Selectman Foresto moved**
39 **that the Board approve Article 1; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

40
41 **Article 2 – Appropriation: Ambulance Enterprise Debt Service -- This article is necessary to correct an**
42 **error in the Crystal Reports. Selectman Foresto moved that the Board approve Article 2; Selectman**
43 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

44
45 **Article 3 – Appropriation: Sewer Enterprise Fund Debt Service – This article is related to borrowing**
46 **that occurred after 2012 Annual Town Meeting. Selectman Foresto moved that the Board approve**
47 **Article 3; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**
48

Article 4 – Appropriation: General Fund Debt Service – This is also related to borrowing that occurred after 2012 Annual Town Meeting. **Selectman Foresto moved that the Board approve Article 4; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

Article 5 – Free Cash: Fire Turnout Gear – Fire Chief Lynch stated this was to replace fire equipment so that each firefighter had a second set in case something happened to the first. This represents 25% of the total equipment, and will be on a staggered replacement schedule going forward. **Selectman Foresto moved that the Board approve Article 5; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

Article 6 – Free Cash: Fire Training – Fire Chief Lynch stated this represents costs related to getting firefighters trained in order to attain Firefighter 1 and 2 official certifications. It is anticipated that his departmental budget can be increased so that the line item can fund training on a regular basis. The certification is a one-time event, yet new techniques are presented for everyone during training. Without the additional training, the department may not qualify for reimbursement of costs expended during emergency situations, such as hurricane, blizzard, etc. **Selectman Foresto moved that the Board approve Article 6; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

Article 7 – Free Cash: PAMET Software – This article is to fund software that will be integrated with existing software in order to generate reports from relevant data and statistics, including potential hazards highlighted on the way to fire calls, medical history of victims/patients, addresses, etc. It will cut down time necessary to create reports. The cost includes training as well as a bridge to convert existing software. There is an annual maintenance cost of \$4,500. Discussion on increasing number of full time firefighters and use of ambulance fund to help cover some of these expenses in the future, allocating the cost back to the Enterprise Fund, and use of GIS information. Selectman Crowley informed viewers that the Board of Selectmen spent three hours discussing these three articles at a previous meeting. **Selectman Foresto moved that the Board approve Article 7; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**

Article 8 – Borrowing: Board of Health Water Pollution Abatement Projects – Ms. Stephanie Bacon, Health Agent, provided a brief explanation of how the abatement program works, noting it is for Title 5 septic system repairs and for tying into Town sewer if a system has failed and tie-in is available. Qualifying household income level must be less than \$150,000. Ms. Melanie Phillips, Finance Director, stated this is the fourth time the Town would be offering it, noting that there was little interest previously but the current economy may attract more applicants (four calls so far). The fee appears as a betterment on the resident’s tax bill, and, if there is a default, the Town can put a lien on the property. Ms. Bacon suggested it should be an annual warrant article. **Selectman Foresto moved that the Board approve Article 8; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

Article 9 – Revise: Town Clerk Salary – This amount represents the increase specified in the Town Clerk’s contract, tethered to the negotiated salary increase in the union contract. **Selectman Foresto moved that the Board approve Article 9; Selectman D’Innocenzo seconded. No discussion. VOTE: 3-0-1 – Crowley abstain.**

Article 10 – Salary Reserve Transfer: Collective Bargaining Agreement – It is noted that, after the transfer there will be roughly \$33,000 left in this account, which may not be sufficient to settle outstanding contracts. **Selectman Foresto moved that the Board approve Article 10; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

Article 11 – Retained Earnings Transfer: Solid Waste Enterprise Fund – also related to collective bargaining. **Selectman Foresto moved that the Board approve Article 11; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

Article 12 – Retained Earnings Transfer: Sewer Enterprise Fund – also related to collective bargaining. **Selectman Foresto moved that the Board approve Article 12; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

Article 13 – Retained Earnings Transfer: Water Enterprise Fund – also related to collective bargaining. **Selectman Foresto moved that the Board approve Article 13; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.**

Article 14 – Retained Earnings Transfer: EMS Fund – also related to collective bargaining and to fund salary differential to increase position to lieutenant. **Selectman Foresto moved that the Board approve Article 14; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.** At this time Selectman Crowley suggested that the Town Administrator have salary information available at Town Meeting in case there are questions.

Article 15 – Transfer: Main Street Water Main Replacement Project – Mr. Tom Holder, Director, Department of Public Services, stated this is a repurposing of surplus funds from a water tank project. Funds can be transferred to another water project, which would be the replacement of the water main on Main and West Streets. He described difficulties encountered during the water main replacement in one location where heavy equipment was necessary to get through ledge. Four change orders also increased the contract price by \$28,000. Discussion followed. It was noted that, as Acting Chair, Selectman Trindade requested an opinion from Town Counsel to ensure that the Town has followed all procedural processes with this contract. **Selectman Foresto moved that the Board approve Article 15; Selectman D’Innocenzo seconded. Selectman Crowley suggested a position of TBD while information is gathered. Selectman Foresto withdrew his motion; the article will remain on the warrant as TBD.**

Article 16 – Transfer Unexpended Balances: HVAC Upgrades Fire Station and Town Hall – Mr. Holder stated the original funds were for HVAC units at the public library, and this will repurpose the balances for HVAC units at the Fire Station and Town Hall. At the Fire Station, units will provide heat to the downstairs office, and air conditioning to Chief Lynch’s office. These units will provide heat and air conditioning to both of those offices. At Town Hall, the office for the Director of Information Technology and the computer server room will benefit from air conditioning. Concern was expressed for the appropriateness of that room to house the computer servers. Ms. Kennedy is confident the appropriated amounts will cover the costs. **Selectman Foresto moved that the Board approve Article 16; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**

Article 17 – Free Cash Transfer: War Memorials – Selectman Crowley expressed concern that the revised pricing has not been submitted. Mr. Richard Parrella stated originally the article was not to exceed \$25,000 for the monuments. Later a draft article was submitted for review by the Town Administrator and Town Counsel. He added that the dollar amounts cannot be exact because the project has not gone out to bid yet. The list of veteran names is still being prepared, and some services may be donated which could affect the funding. **Selectman Foresto moved that the Board approve Article 17 as written; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**

Article 18 – Appropriation: Athletic Field Maintenance -- Superintendent Judith Evans stated the intent of this article is to try to rectify some expenses that are not budgeted or unanticipated expenses such as field preparation, repair of irrigation equipment, etc. She noted that users of the high school fields pay a permit fee to the Town, yet the schools have to absorb the costs of maintenance and repair. Mr. Tom Holder suggested that it is premature to move forward with this as the Department of Public Services is not prepared to take on the tasks, noting that field preparation cannot be handled with current staff. Discussion followed on budgeting, Chapter 70 funds, and timeline (until June 30, 2013). It is noted that the Department of Public Services and the School Department will work together to put together a summary of scope and estimated costs. Some of these expenses may be for contracted services. Noting that this involved only the grass fields at the high school, Mr. David D’Amico, Deputy Director, Department of Public Services, explained that funds originally on account for the field maintenance were taken away during a previous period of economic strife, and it has never been rectified.

After discussion, **it was decided that the Board take a TBD position on Article 18** while the groups get together to further define expectations, whose budget it is, and related issues.

Article 19 – Free Cash Transfer: Trane Debt Service – The School Department is turning back funds derived from savings on energy. **Selectman Foresto moved that the Board approve Article 19; Selectman Crowley seconded. It was clarified that the dollar amount should read \$22,608. VOTE: 4-0-0.**

Article 20 – Transfer: Medway High School Baseball Field Drainage Repairs – This is a repurposing of funds to correct inadequate drainage existing from the original construction of the baseball field at Medway High School; a firm has been selected to do the work. Any funds remaining after the work is complete will have to be used for things connected with the original project, as state law prohibits it being used for anything other than the school construction. Ms. Melanie Phillips, Finance Director, clarified that the wording of the article allows for the possibility that other problems will be discovered when the drainage is being repaired; otherwise another article will be necessary for any new issues. Selectman Crowley noted that the delay in presenting these articles from several years ago is tethered to the litigation between the contractor and the Town. Discussion followed. **Selectman Foresto moved that the Board approve Article 20 with a dollar amount of \$35,925; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**

Article 21 – Borrowing: Thayer Property Renovation – The expectation is that a firm price/quote will be available for Town Meeting. Selectman Foresto suggested the Board note its position as TBD. Vice-Chair Trindade clarified this project is not just for 2B Oak street but is also connected with Choate Park. Ms. Carol Pratt, Town Accountant, stated there is \$800,000 in the historical preservation fund, \$711,000 in open space, and approximately \$2.3 million in Community Preservation Act retained earnings. Mr. Frank Rossi stated that the Community Preservation Committee has yet to sign off on this article, adding that the group will be meeting again before Fall Town Meeting. Discussion followed. **The Board opted to note its position on Article 21 as TBD for the time being.**

Article 22 – Free Cash Transfer: Parks and Recreation Study – It is noted that the Parks Master Plan project went out to bid with an October 18th deadline. Mr. Holder clarified that there is presently 55 acres of property that can be used for passive recreation, and this plan will evaluate all the Town’s properties. He explained how the bid opening process will work in the review committee, and is optimistic that it can be completed before Fall Town Meeting so that an estimated cost can be included in the article. **The Board opted to note its position on Article 22 as TBD for the time being.**

1
2 Article 23 – Amendment: Interest Rate on Deferred Property Taxes – Ms. Phillips briefly explained that
3 the current practice has no defined structure, which causes the rate to change every year. Mr. Will
4 Naser, Principal Assessor, stated a review of surrounding communities was performed before drafting
5 the article. This will establish a fixed rate, making it easier for residents and their financial planning.
6 **Selectman Foresto moved that the Board approve Article 23; Selectman D’Innocenzo seconded. No**
7 **discussion. VOTE: 4-0-0.**

8
9 Article 24 –Adjustment: Community Preservation Fund Statutory Set-Aside – **Selectman Foresto moved**
10 **that the Board approve Article 24 as written; Selectman D’Innocenzo seconded. No discussion.**
11 **VOTE: 4-0-0.**

12
13 Article 25 – Free Cash Transfer: Massachusetts Appeals Court Ruling – Verizon won a lawsuit against the
14 Town on appeal, and this amount represents the interest due. Mr. Will Naser noted that the principal
15 amount may be paid from the overlay account, but the interest cannot. The rate is set by the Mass.
16 Department of Revenue. **Selectman Foresto moved that the Board approve Article 25 as written;**
17 **Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

18
19 Article 26 – Amend General By-Laws: Settlements – This article is designed to give the Board of
20 Selectman a more realistic amount of money with which to settle agreements. Surrounding
21 communities were surveyed for their claim settlement practice, and revealed that the Town of
22 Framingham allows the Board of Selectmen to settle claims up to \$25,000 without Town Meeting
23 approval; similarly, the Town of Sherborn allows its Board of Selectmen to settle claims up to \$100,000.
24 In both cases, this is possible only if funds are available to pay the settlement; otherwise, Town Meeting
25 appropriation is necessary. **Selectman Foresto moved that the Board approve Article 26 as written;**
26 **Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**

27
28 Article 27 – Approve: Police Department Mutual Aid Agreement – Police Chief Allen Tingley stated this
29 enables the Medway Police Department the ability to combine with 49 other towns from which aid
30 could be obtained, and provide aid to those communities in return. It also extends their jurisdiction into
31 those communities to apprehend felons where currently they are not able to cross into those
32 communities to do so. **Selectman Foresto moved that the Board approve Article 27 as written;**
33 **Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

34
35 **Consent to Assignment – VNA Public Health Nurse Services Agreement from Milford Regional Medical**
36 **Center, Inc. to Salmon Home Care, LLC:**

37 *The Board reviewed the following information: (1) Consent to assignment dated July 12, 2012; and (2)*
38 *Email, dated September 11, 2012, from Town Counsel indicating approval of form.*

39
40 **Selectman Foresto moved that the Board vote to authorize the Chair to execute the Consent to**
41 **Assignment relative to the Public Health Nurse Services agreement changing contractual entity from**
42 **Milford Regional Medical Center, Inc. to Salmon Home Care, LLC; Selectman D’Innocenzo seconded.**
43 **No discussion. VOTE: 4-0-0.**

44
45 **Approval – Special One Day Liquor and Amusement Licenses – Medway 300th Committee:**

46 *The Board reviewed the following information: (1) Correspondence, dated October 10, 2012, from Police*
47 *Chief Tingley; (2) Application for Exhibition, Show or Amusement License – Live Entertainment for Taste*

1 of Medway event to be held October 27, 2012; and (3) Application for Special One-Day Liquor License for
2 Taste of Medway event to be held October 27, 2012.

3
4 Chief Tingley stated he has asked that there be no parking on Oak Street, all servers be up-to-date on
5 TIPS training, and a detail of two police officers with marked cruiser be on the premises. Selectman
6 Foresto announced that this event is scheduled for October 27 at the Thayer homestead. A wine and
7 beer tasting will occur outdoors on the lawn of the Thayer house.

8
9 **Vice-Chair Trindade moved that the Board approve both the Special One-Day Liquor License and the**
10 **Exhibition, Show or Amusement License – Live Entertainment License for the Taste of Medway event**
11 **to be held October 27, 2012 with the proviso that the conditions outlined by Chief Tingley in his letter**
12 **dated October 10, 2012 are satisfied; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**
13 It was noted that neither Selectman Crowley nor Selectman Foresto will realize any financial gain.

14
15 **Action Items from Previous Meeting:**

16 The Board opted to postpone discussion of Action Items until next meeting.

17
18 **Approval of Warrants:**

19 *The Board reviewed Warrant 13-16, dated 10/18/12.*

20
21 Selectman Foresto, Clerk, read aloud Warrant 13-16 presented for approval:

22	13-16	Town Bills	\$841,837.39
23		TOTAL	\$841,837.39

24
25
26 **Vice-Chair Trindade moved that the Board approve Warrant 13-16 in the amount of \$841,837.39;**
27 **Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

28
29 **Town Administrator’s Report:**

30 Ms. Kennedy presented a photographic collage of historical photos to be displayed in Sanford Hall. She
31 stated that, after an unsuccessful effort to locate a historical photo that would complement that of Mr.
32 Sanford, she selected several with a common theme. One by one, Ms. Kennedy identified each photo,
33 each representing a former mill in Medway. It was suggested that a plaque with that identifying
34 information be displayed with the photos.

35
36 **Selectmen’s Reports:**

37 D’Innocenzo – No report.

38
39 Crowley – Thanked Kathy Foresto and Bob O’Neill for their work on the Medway 300 flags.

40
41 Foresto -- The Thayer House is collecting historical items that will be part of the final display at the
42 renovated house.

43
44 Trindade – Expressed concern for the water issue presented by residents during Public Comments.
45 Ms. Kennedy clarified that the matter falls under the jurisdiction of the Water and Sewer Commission.
46 Vice-Chair Trindade stated he would like to see documentation that justifies this kind of action, and
47 whether the Commission would consider grandfathering some properties.

1 **Vice-Chair Trindade moved that the Board hold a special meeting with the Water and Sewer**
2 **Commission to discuss this issue, and prior to that meeting, review relevant documentation in order**
3 **to understand their thinking; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.**
4

5 **Approval of Minutes:**

6 Due to the lateness of the hour, review of the minutes from meetings held on July 16, 2012; August 21,
7 2012; September 4, 2012; September 7, 2012; and September 11, 2012 was postponed.
8
9

10 **At 9:35 PM Selectman Crowley moved to adjourn; Selectman D’Innocenzo seconded. No discussion.**
11 **VOTE: 4-0-0.**
12
13

14 Respectfully submitted,
15 Jeanette Galliardt
16 Office Manager

**Board of Selectmen's Meeting
November 5, 2012 – 6:00 PM
Sanford Hall
155 Village Street**

Present: Selectman Andrew Espinosa, Chair; Selectman Glenn Trindade, Vice-Chair; Selectman John Foresto, Clerk; Selectman Dennis Crowley, Selectman Richard D'Innocenzo, and Suzanne Kennedy, Town Administrator.

Also Present: Carol Pratt, Town Accountant; Melanie Phillips, Treasurer-Collector and Finance Director; Will Naser, Principal Assessor; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Deb Trindade, School Committee; Claire O'Neill, Housing Specialist; Susy Affleck-Childs, Planning and Economic Development Coordinator.

At 6:00 Chairman Espinosa called the meeting to order and led in the Pledge of Allegiance.

Public Comments: None

Update -- Claire O'Neill, Economic Development Specialist:

Claire O'Neill gave a brief update to the Board on economic development activities that have taken place over her first month with the Town of Medway. Ms. O'Neill has introduced herself to Town departments and continues to learn about the town. She informed them that she had met with some of the Medway's larger manufacturers as well as several small businesses and that her outreach was ongoing. The EDC met on October 17 and discussed website enhancements and additions, business outreach and recommendations for bylaw changes. In addition to business outreach, Ms. O'Neill has met with several property owners in town as part of the industrial/commercial property survey. She is in discussion with Doug Havens about a joint mailing to businesses. She thanked Town staff for their helpfulness.

Brief discussion followed on upcoming workshops that may be of interest to Ms. O'Neill, as well as working on a budget that will be in line with Board of Selectmen goals.

Appointments – Affordable Housing Trust – Judi LaPan, John Maguire, Karen Soter; Metropolitan Area Planning Council Representative – Andrew Rodenhiser:

The Board reviewed the following information: (1) Email from Doug Havens, Community Housing Coordinator regarding Affordable Housing Trust appointments; (2) Letter of interest (LaPan) and (3) Resumes for Maguire and Soter. It was noted that a vacancy for the position of MAPC Representative occurred with the resignation of Chan Rogers in June 2012; Andrew Rodenhiser has volunteered to be the representative, should the Board of Selectmen approve.

Mr. Doug Havens, Affordable Housing Coordinator, briefly reviewed the potential appointments, noting that all candidates are qualified and bring very valuable experience with them.

Selectman Trindade moved that the Board appoint Judi LaPan, John Maguire and Karen Soter to the Affordable Housing Trust, and, further, appoint Andrew Rodenhiser as Medway's representative to the Metropolitan Area Planning Council; Selectman Foresto seconded. It was noted that Ms. LaPan and Ms. Soter were in attendance. VOTE: 4-0-1 -- Crowley abstained.

Approval – Amendment to Contract with Marsh, Moriarty, Ontell and Golder, P.C. – Oak Grove Title Research -- \$10,000:

The Board reviewed a contract amendment, dated October 25, 2012, and signed by The Town Accountant and Town Counsel.

Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, reported this amendment covers work that was being finished up, noting this would enable Mr. Marsh to get through a major chunk of the required research. Mr. Will Naser, Principal Assessor, added that this work completed a review of every single title, making Phase 1 complete.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract amendment as submitted in the packet for an amount not to exceed \$10,000; Selectman Trindade seconded. Town Administrator Kennedy indicated they will be meeting with Town Counsel soon to discuss the gray areas. Brief discussion followed on budget allocations for this type of work. VOTE: 5-0-0.

Approval – Medway Lions Club Annual Charity Christmas Tree Sale:

The Board reviewed a letter from the Medway Lions Club.

Selectman Trindade moved that the Town issue a permit for the Medway Lions Club Annual Charity Christmas Tree Sale in accordance with the conditions submitted in its request; Selectman Forest seconded. No discussion. VOTE: 3-0-2 – Crowley and D'Innocenzo abstained as they are members of the Medway Lions Club.

Authorization of the Chairman to Execute Budget Revision Request #4 for Middle School Renovation Project – \$99,508:

The Board reviewed a Budget Revision Request, dated October 15, 2012, for the Middle School Renovation Project.

Selectman Trindade moved that the Board authorize the Chairman to executive Budget Revision Request #4 as submitted in the packet; Selectman D'Innocenzo seconded. It was noted that the construction will not be closed out in December even though the Certificate of Occupancy will be issued in November. Punch lists have been created as each section was finished; the contract will likely finish up in February or March of 2013. VOTE: 5-0-0.

Fourth Reading -- Proposed Revised Alcohol Policy

The Board reviewed the following information: (1) Memo regarding the fourth reading of the policy; and (2) Draft 4 of the proposed Revised Alcohol Policy.

Ms. Allison Potter, Assistant to the Town Administrator, briefly outlined changes made since the last draft, noting that the BYOB policy has been revised per the Board's suggestions. Selectman Trindade emphasized that all restaurants should have this as an option, but they should have to apply for a permit to do so just like the ones with liquor licenses. Brief discussion followed.

Selectman Crowley stated he had not had time to read the Town of Ashland's full policy, noting that the BYOB section was 20 pages. Ms. Potter reported that Town Counsel advised to separate it from the general alcohol policy as the governance is not the same. It can be mentioned in the alcohol policy, but the policy should be separate. Regarding training, Ms. Potter stated there is limited liability to the Town, noting there is no statute regulating BYOB.

With regard to changes, Ms. Potter noted that a fee for all one-day licenses is \$50, which can be waived at the Board's discretion. She asked that Board members submit input on the description of frequency in the one-day license section.

Another review of the revised policy will come back to the Board in the near future.

Discussion – Fall Town Meeting Article Numbers 15, 18, 21, and 22 – TBD Status:

At this time, the Board considered those Fall Town Meeting Articles that still needed recommendation.

Article 15 – Transfer: Main Street Water Main Replacement Project – Selectman Crowley commented that, if the additional scope was added after the base contract was negotiated, the Board needed to be aware of it. Mr. Holder stated the project was put together several years ago – designed, bid and awarded. The only things that changed in the scope were associated with the change orders that the Board of Selectmen has seen. The funds will be spent on police details (increase is expected), series of change orders, additional crew added, lease of hydraulic equipment to remove ledge, customer service support for changes, internal visits, etc. Minor increases can be absorbed in the regular DPS budget or out of the Water Enterprise Fund.

Selectman Trindade moved that the Board recommend Article 15 as written in the Fall Town Meeting Warrant; Selectman Foresto seconded. No further discussion. VOTE: 5-0-0.

Article 18 – Appropriation: Athletic Field Maintenance – Mr. Tom Holder, Director, Department of Public Services, and Ms. Deb Trindade, School Committee, were present for this discussion. It was noted that, through a series of emails, a reasonable scope of expectations was developed. Selectman Trindade expressed concern for how the allocation would be noted in the budget, as it might look like new money but it is not. Ms. Kennedy stated this is supplemental money not included in the original budget. Selectman Trindade theorized that the split between schools and Town is not fair with regard to this money. Chairman Espinosa suggested doing it this way for this year, and determining a regular budgetary process going forward. Discussion followed. It was agreed that the Board will postpone its decision on Article 18 until the pre-town meeting prior to Fall Town Meeting.

Article 21 – Borrowing: Thayer Property Renovation -- It was noted that there is a meeting of the Community Preservation Committee tonight, and it will be determined whether or not to proceed. The bid opening will be Thursday. After brief discussion, it was decided to postpone a decision on Article 21 until the pre-town meeting prior to Fall Town Meeting. It was noted that if things are not in line with what might be necessary, the matter can be postponed until 2013 Annual Town Meeting.

Article 22 – Free Cash Transfer: Parks and Recreation Study – Selectman D'Innocenzo stated the group was supposed to meet on October 29 but did not because of the hurricane. The committee is now scheduled to meet on November 6 to see presentations, then open bids in the days following. Selectman Crowley suggested the Town Administrator be notified when the bids are opened. The Board

of Selectmen meeting prior to Town Meeting on Tuesday, November 13, was moved up to 5:30 PM. At that time, the Board will determine its recommendation on Article 22.

Discussion – Five Year Forecast:

The Board reviewed forecasted financial information prepared by the Town Accountant and Finance Director.

Ms. Kennedy directed the Board's attention to the final page of the forecast which specifies the assumptions used in making the forecast. Chairman Espinosa asked if the forecast could be a little more accurate on some of the things that are already known. Ms. Kennedy clarified that this is an operating budget, noting that if the Board is interested in particular things, those would become clearer at a strategic planning session. The Finance Director and Town Accountant would also need to know what those things are to plan for them on the expenditure side.

Regarding areas where it is believed the Town is understaffed, the specifics of that scenario are unknown and therefore could not be included. Selectman Crowley stated that while the Board knows that the DPS and Fire Department need more staff, that fact was not actually communicated to the Town Administrator for this forecasting process. Selectman Foresto suggested additional lines be added in for future use. Discussion followed. Ms. Kennedy will forward all pertinent materials to the Finance Committee.

Discussion – FY14 Budget Policy Statement:

In the interest of time, the budget policy discussion was postponed.

Action Items from Previous Meeting:

Discussion of Action Items was also postponed.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 13-19, dated 11/8/12, submitted for approval:

School Bills	\$ 105,377.24
Gross Payroll – Town	\$ 296,652.57
Gross Payroll – Schools	\$ 771,070.80
TOTAL	\$ 1,067,723.37

Selectman Trindade moved that the Board approve the Warrant as read; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Town Administrator's Report:

Ms. Kennedy asked the Board to consider if it wanted to keep the regularly scheduled meeting on Monday, November 19, which is Thanksgiving week. She noted that the Town needs to have a tax classification hearing soon after Fall Town Meeting. Some of the Fall Town Meeting actions will have an impact on that hearing. After brief discussion, it was agreed to keep the November 19 meeting.

Referring to Hurricane Sandy, Ms. Kennedy stated the community weathered the storm fairly well. She noted that FEMA reimbursement for expenses incurred may be available; affected communities are being asked to determine total costs involved.

Ms. Kennedy concluded by drawing everyone's attention to the historical photo collage that is now mounted on the wall of Sanford Hall. The photographs depict historic scenes of Medway's former mills.

Selectman's Reports:

Selectmen reports were postponed so interested members could attend the Community Preservation Committee meeting at the high school library. The main topic of discussion will focus on the Thayer Property.

At 7:19 PM Chairman Espinosa adjourned the meeting in order to attend the meeting of the Community Preservation Committee in the library at Medway High School.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
November 13, 2012, 5:30 PM
Medway High School
88 Summer Street, Room A-111**

Present: Selectman Andrew Espinosa, Chairman; Selectman Glenn Trindade (6:20 PM), Vice-Chair; Selectman John Foresto, Clerk; Selectman Dennis Crowley; Selectman Richard D'Innocenzo (5:42 PM), and Suzanne Kennedy, Town Administrator.

Also Present: Carol Pratt, Town Accountant; Barbara Saint André, Town Counsel; Tom Holder, Director, Department of Public Services; Mark Cerel, Town Meeting Moderator (5:54 PM).

At 5:34 PM Chairman Espinosa called the meeting to order and led in the Pledge of Allegiance.

Discussion – Town Meeting Articles:

At this time the Board reviewed warrant article that still needed a recommendation from the Board of Selectmen.

Article 21 – Borrowing: Thayer Property Renovation – Ms. Suzanne Kennedy stated the Community Preservation Committee has approved the Thayer project, specifically as borrowing a sum of money up to \$2.5 million, and the Board of Selectmen needs to endorse the “borrowing” aspect of it. Ms. Barbara Saint André, Town Counsel, suggested including all available sources as possible sources to be specified in the wording of the motion, but cautioned against the use of the word “raise”.

Selectman Foresto indicated that the Thayer Development Group is recommending that the bids received should be rejected as only two bids were submitted. It was believed that this is not a large enough pool of applicants, and that the bid process should be repeated.

Selectman Foresto moved that the Board accept the recommendation of the Thayer Development Group to not accept the submitted bids and reissue the Request For Proposals; Selectman Crowley seconded. Brief discussion followed, noting that general contractors did not have enough time to submit bids (5 weeks). The lack of power following Hurricane Sandy hindered some contractors from making their bids on time. VOTE: 3-0-0.

Selectman Crowley acknowledged that Selectman Trindade would make the presentation to the assembly at Fall Town Meeting. Selectman Foresto offered to be available to discuss recent events. Selectman Crowley expressed concern that a lot of residents know the project went out to bid, and they need to be kept informed of what is happening with the project.

Regarding the suggested motion for Article 21, the words “raise and” as well as “or borrow” were deleted, and the amount of \$2.5 million inserted following the words “sum of”.

Article 18 – Appropriation: Athletic Field Maintenance – At a recent meeting with Supt. Judith Evans and Mr. David Verdolino, a figure of \$30,000 was determined for this article, an increase from \$20,000. It is intended for the balance of Fiscal Year 2013 (through June 30, 2013) and would be used to address

specific issues that were outlined. Based on these issues, the amount of \$20,000 was revisited and a larger sum was deemed more appropriate. It is noted that this is a temporary plan, and that a long term solution will be developed in the coming months. Brief discussion followed on the scope of work, what happens to any remaining funds, etc. Irrigation and mowing were added to the scope of work. Any funds that remain at the end of the fiscal year will fall to free cash. Additional discussion followed on the general maintenance of school athletic fields, Chapter 70 money, and related topics.

Chairman Espinosa moved that the Board recommend Article 18 in the amount of \$30,000 to add to the Department of Public Services; Selectman Foresto seconded. No further discussion. VOTE: 4-0-0. This article was previously TBD.

Article 22 – Free Cash Transfer: Parks and Recreation Study – Selectman D’Innocenzo briefly explained the bidding process, noting the preferred company turned out to be the lowest bid at \$34,090. Mr. Holder indicated this project has a very broad scope of services, and agreed with Selectman D’Innocenzo that an additional amount of money needed to be included for unanticipated change orders. He suggested the total funds for the project be increased to \$40,000. Selectman Crowley asked that the Board of Selectman have the opportunity to review the contract before it is signed. It was noted that funds provided with this article would be combined with other funds.

Selectman Foresto moved that the Board recommend Article 22 in the amount of \$10,000; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0. This article was previously TBD.

At this time, Mr. Mark Cerel, Town Meeting Moderator, stated that, in an effort to expedite things, he will bundle similar articles. With this in mind, Articles 2, 3, and 4 will be handled as a group, as well Articles 10 through 14. Mr. Jeff O’Neill, Chair, Finance Committee, stated he will report this to the Finance Committee.

Mr. Cerel continued, noting he will ask the assembled residents if anyone objects to him serving as Moderator or if there should be an Acting Moderator for discussion of the Thayer project. The presentation on the Thayer project will occur in sequential order of the Warrant. The first item will be the State of the Town. Brief discussion followed on general Town Meeting protocols.

Miscellaneous Discussion – Auto Accidents:

Selectman Crowley reported he had received a phone call about recent accidents at intersection of Franklin and Village Streets. He asked for confirmation that there were indeed three accidents at that location before approaching the Police Department for suggestion solutions. Typically accidents are recorded for the previous three years. Mr. Holder stated that the Massachusetts Department of Transportation has a list of streets that require traffic calming measures. Chairman Espinosa suggested there had been a traffic count/study at that location approximately four years ago.

Miscellaneous Discussion – Election at St. Joseph’s Parish:

Due to the Middle School Repair Project, the polling place was moved to St. Joseph’s Parish. Because it was the Presidential Election, an extraordinary number of voters came out to vote, and damage was incurred at the Parish. Mr. Crowley asked if there was a way to reimburse the church for the repair. It was noted that cars were parked on the lawn, a door was broken and other minor damage occurred. There was a suggestion that perhaps the Town could just make a donation to the church. Ms. Carol Pratt, Town Accountant, pointed out that, as a municipality, the Town is prohibited from making

donations to any group. Discussion followed on possible courses of action (e.g. the church could submit an invoice for repairs) and increasing the number of polling places to alleviate congestion.

Approval of Warrant:

Selectman Foresto, Clerk, read aloud Warrant 13-20, dated 11/15/12, submitted for approval:

Town bills	\$2,225,550.51
TOTAL	\$2,225,550.51

Selectman Trindade moved that the Board approve Warrant 13-20 as read; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

At 6:23 PM Selectman Trindade moved to adjourn so that Board members could attend the Finance Committee meeting and later Fall Town Meeting; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

**Board of Selectmen's Meeting
November 19, 2012 – 6:30 PM
Sanford Hall
155 Village Street**

Present: Chairman Andrew Espinosa, Glenn Trindade, Vice-Chair (7:35 PM), Selectman Dennis Crowley, Selectman Richard D'Innocenzo, Selectman John Foresto, and Town Administrator Suzanne Kennedy.

Also Present: Allen Tingley, Police Chief; Melanie Phillips, Finance Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Will Naser, Principal Assessor; Tom Holder, Director, Department of Public Services, Stephanie Bacon, Health Agent; Michael Clancy, Weights and Measures Inspector.

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

At 6:33 PM Selectman Foresto moved that the Board enter Executive Session under Exemption 2: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, with the intent to return to public session; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote: – return to public session. Roll Call Vote: 4-0-0 – Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye.

At 7:03 PM Chairman Espinosa reconvened public session.

Public Comments: None

Update – Town's Fuel Efficient Vehicle Policy/Replacement Plan:

The Board reviewed the following information: (1) Memorandum, dated November 15, 2012, from Susy Affleck-Childs, Planning and Economic Development Coordinator; (2) Matrix Summary of Amendments to Medway's Fuel Efficient Vehicle Policy and Replacement Plan; (3) Fuel Efficient Vehicle Policy – revised draft, dated November 12, 2012; (4) Vehicle inventory as of June 30, 2012; and (5) Green Communities Grant Program – Fuel Efficient Vehicle/Criteria 4, dated March 5, 2012.

Ms. Kennedy reported that the Town is required to submit its Fuel Reduction Report to the Department of Energy Resources (DOER) by November 30. Part of it requires amendment of the vehicle policy, and tonight we present the amended plan.

Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, stated the policy was first adopted in 2010. She briefly reviewed that plan and outlined changes in the vehicle inventory, including exempt vs. non-exempt vehicles, heavy duty vehicles, and other types of vehicles. She expressed concern that these changes may not be stringent enough to meet criteria for future grant applications or other ramifications. Ms. Kennedy added that the recycling of police vehicles may be problematic for the Town, given initial concern that the Town did not have the funds to replace those kinds of vehicles.

The request this evening is that the Board of Selectmen adopts the revised policy, which would then be included in the report.

Selectman Foresto moved that the Board adopt the revised Town Fuel Efficient Vehicle Policy as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 3-0-0 -- Selectman Crowley was out of the meeting room at the time of the vote.

Report – Comprehensive Emergency Management Plan – Richard LaTour/MEMA:

Present: Richard LaTour, MEMA; Allen Tingley, Police Chief.

Mr. Richard LaTour, representing the regional office of the Massachusetts Emergency Management Agency (MEMA) in Bridgewater, Massachusetts, introduced himself to the Board. Every community is required to have a Comprehensive Emergency Management Plan, one that prepares people to respond in the event of an emergency. They used an online program designed to help communities set up their plans, entering various kinds of data unique to the specific community (Medway), and this information will be updated on an annual basis. Handouts were distributed that described the eCEMP system in more detail. Discussion followed.

Selectman Foresto asked if current dispatch officers are trained on this. Chief Tingley responded that they are. It is available online and they know how to use it. Selectman Foresto emphasized that the plan has information showing residents with disabilities, power needs, and so forth. One of the perks of this system is a GIS component that can be downloaded and activated. Brief discussion followed on the infusion of state and federal funding.

Approval – Contract with Underwater Solutions, Inc. – Lovering Tank Inspection -- \$3,985:

The Board reviewed the following information: (1) Memorandum, dated November 15, 2012, from DPS Director, Tom Holder; and (2) Contract, dated November 1, 2012.

Mr. Tom Holder reported that an inspection is needed every five years. In 2014, roughly \$100,000 will be a line item in the DPS budget, earmarked for a mixing system. Photographs from this cleaning will help us see what maintenance or repairs might be necessary in 2014.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Underwater Solutions, Inc. to perform the inspection of the Lovering Street tank in an amount not to exceed \$3,985; Selectman D’Innocenzo seconded. Mr. Holder clarified that the tank was built in 1964 which is relatively young. Five to six inches of sediment will have to be vacuumed out, but is otherwise in good shape. When the mixing system is installed, the tank will be drained and any necessary repairs will be done at the same time. VOTE: 4-0-0.

Approval – Collaborative MetroWest Regional Community Innovation Challenge Grant Application – Weights and Measures Food Inspection Tablet and Software (WinWam) -- \$6,000:

The Board reviewed the following information: (1) Letter, dated November 8, 2012, from Stephanie Bacon, Health Agent; (2) Letter, dated November 8, 2012, from Michael Clancy, Sealer of Weights and Measures; (3) Community Innovation Challenge Grant guidelines and application (draft); and (4) WinWam product information -- Device Inspection Software, Package Checking Software.

Present: Stephanie Bacon, Health Agent; Michael Clancy, Weights and Measures Inspector.

Ms. Stephanie Bacon, Health Agent, stated that earlier this year the Board of Health was granted funds for the continuation of a Collaborative Grant. The Board of Health would like to use these funds to purchase WinWam Software and the associated materials, including an electronic tablet and scanner. The cost includes an annual maintenance fee of \$200. This equipment is unique to weights and measures, and will increase scanner accuracy.

Mr. Michael Clancy, Sealer of Weights and Measures, reported that, in order to check prices, he has to select fifty items to see if they scan at the advertised price. If one fails, he has to start over. If he has a sales clerk scan items, they have to put all the items back on the shelves. He presently does not have a scanner gun so the process is labor-intensive. Out of all the items included in this bundle, his primary interest is the scanner gun. Having one will be a time saver, and decrease frustration and aggravation in performing his job. Ms. Bacon added that the Towns of Millis and Medfield were included in the grant so they may get their own units.

Selectman Trindade moved that the Board vote to authorize the Town Administrator to sign the Community Innovation Challenge Grant application once completed and subsequent to the Town Administrator's forwarding of the final application document for Board review in advance of execution; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Town of Medway FY2013 Residential Factor/Tax Classification Hearing:

Present: Will Naser, Principal Assessor; Andrew Smyth, Deputy Assessor; Melanie Phillips, Finance Director.

At 7:50 PM Selectman Trindade moved that the Board convene a Public Hearing for the purpose of discussing tax classification and determining the Town of Medway FY2013 Residential Factor; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

It is noted that this Public Hearing was posted with the Town Clerk and also published in the *Milford Daily News* for November 12 and November 13, 2012. This hearing requires a vote on the Adoption of a Residential Factor pursuant to MGL Chapter 40 Section 56.

Utilizing a PowerPoint presentation (previously sent to the Board electronically), Mr. Will Naser, Principal Assessor 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. He reviewed slides featuring various tax rate options featuring a single tax rate (residential only) and four options shifting the tax burden by 0%, 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.

Any override action would be included in the final figures from any fiscal year. Examples in the presentation consider the average single family tax bill of \$6,345 with no change in the residential factor. It was noted that the lack of commercial development in a community is directly related to the high residential tax assessments. Discussion followed. Chairman Espinosa theorized that property values in Medway have dropped, and, from a tax perspective, this allows the Town to increase taxes to offset the decreased value of the properties. Ms. Melanie Phillips, Finance Director, stated that part of the increase is related to the debt exclusion on the Middle School repair project. There was brief discussion on historical property values, override funding, Proposition 2 ½ and related topics.

At 8:23 PM Selectman Trindade moved to close the public hearing; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

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. VOTE: 5-0-0.**

Question 2 – Do you choose to have a small commercial business exemption? Medway has not adopted this previously, currently adopted by 10 out of 351 communities. **Selectman Trindade moved that the Board not adopt a small commercial business exemption; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

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 18.58; Selectman Foresto seconded. No discussion. VOTE: 4-1-0 – Espinosa oppose.**

It was noted that the tax rate is an estimate, and the Department of Revenue will approve the actual rate. Mr. Naser will submit Form LA5, Classification Tax Allocation, to the Town Administrator. Once signed by the Board, the form will be submitted to the Department of Revenue for review, and the actual rate will be determined.

Selectman Trindade briefly explained for viewers the basics of residential vs. commercial growth and the impact of that growth on the tax structure. If the Town adopted a split rate, a lot of the commercial burden would fall to small businesses due to the lack of large commercial entities in Medway. Brief discussion followed.

The Board thanked Mr. Naser for his presentation, and also extended appreciation to the Board of Assessors for their hard work year-round.

Approval – ESCO Debt Service Agreement Between Town and Schools:

The Board reviewed the following information: (1) Agreement between the Town of Medway and the Medway Public Schools; and (2) MPS Debt Service Reimbursement for ESCO spreadsheet.

Selectman Foresto moved that the Board authorize the Chairman to execute the ESCO debt service agreement between the Town of Medway and the Medway Public Schools; Selectman Trindade seconded. Ms. Kennedy confirmed that she and the Finance Director are in agreement with the document. No further discussion. VOTE: 5-0-0.

Approval – Special One-Day Liquor License:

The Board reviewed an application, dated November 19, 2012, for a dinner dance at St. Joseph's Parish.

Selectman Trindade moved that the Board grant a Special One-Day Liquor License to St. Joseph's Parish to be exercised on November 24, 2012 on the occasion of a Dinner Dance and St. Joseph Band

Reunion under the conditions set forth in the application; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

DPS Update:

Selectman Crowley stated he has been receiving a lot of comments about sidewalks and asked Mr. Holder if he could establish a priority list for sidewalk completion as well as a priority list for roads. Mr. Holder indicated a number of sidewalks are up for design, and there will be a list of those to be constructed. The list will include both the design and construction schedules.

Selectman Foresto reported he is also receiving comments about sidewalks and asked about Village Street. Mr. Holder responded that Village Street sidewalks will not be done until spring as some gas service valves need attention. He added that the walkability of those sidewalks is fine, noting that the outdoor temperature is getting too cool to put the top course on. Responding to Selectman Foresto's question about continuing sidewalks up to Matondi Square, Mr. Holder stated that section is usually under water, and that other sections need attention more urgently. Selectman Foresto clarified that from an aesthetic standpoint, the sidewalk just does not look complete.

Regarding Columbia Gas on Summer Street by the high school, Mr. Holder stated he granted them a permit listing conditions and expectations working on a main feed to residential areas. This work will involve about 600 feet of road with a police detail to keep one lane open. He noted that there is an anticipated December 22 completion date.

There is a new water pipe in the ground on West Street and the road is patched. The contractor will be coming back in April to pave Main Street. Mr. Holder reported that funds preserved from the sewer project will be combined with the water main project funding to totally reconstruct West St. The department is still figuring out when that will be done.

Regarding the Brentwood project, Mr. Holder stated he asked the engineer to place stakes on properties to show homeowners where the actual work will be done. They are working with property owners now; letters will be sent out. There is a possibility that construction could begin in the spring or summer.

Approval – Reach the Beach Relay – May 17-18, 2013:

The Board reviewed the following information: (1) Email, dated October 29, 2012, from Paul Dionne, Sponsorship Coordinator; (2) Reach the Beach 2012 Course Maps; and (3) Memorandum, dated November 8, 2012, from Police Chief Allen Tingley.

Selectman Foresto moved that the Board approve permission for the Reach the Beach event to proceed through the Town of May 17-18, 2013 with the proviso that the organization adhere to the conditions set forth by Police Chief Allen Tingley in his memorandum, dated November 8, 2012; Selectman Trindade seconded. Chairman Espinosa expressed concern that the route down Milford Street is not a safe route for this kind of pedestrian usage, especially on a Friday evening. Selectman Foresto clarified that there are usually vans ahead of the walkers and runners. VOTE: 4-0-1 – Espinosa oppose.

Discussion – FY2014 Budget Policy:

The Board reviewed the following information: (a) Draft FY2014 Budget Policy Statement; and (2) FY14-FY18 Expenditure Assumptions.

Ms. Kennedy reminded the Board this matter was postponed from the last meeting. The same revenue allocation model from last year was updated for this discussion. She briefly reviewed the major areas, noting that there is always a “catch up factor” from year to year. Brief discussion followed.

Selectman Trindade moved that the Board approve the FY2014 Budget Policy Statement; Selectman Foresto seconded. Selectman Crowley expressed concern about setting a precedent of using the previous year’s revenue figures and just plugging it into the model, noting student population figures are dropping. He would like the numbers to be adjustable when numbers on specific variables are known.

Chairman Espinosa stated that, if that is the case, the Board is not giving direction. Selectman Trindade noted that the bottom line is that every department has to justify their wish list, and Town Meeting votes it in. Selectman Crowley reiterated his concern about getting locked into a process. Chairman Espinosa stated the Town Charter clearly states that the Board of Selectmen is the entity that establishes a budget policy, from which a budget is created and later approved by the Board of Selectmen. Selectman Trindade Glenn reiterated that ultimately the final decision on the budget is the vote at Annual Town Meeting.

Selectman Foresto suggested that the budget policy reflects the Board’s perspective at this time, barring any changes that occur during the budgeting process. We won’t know until the end of January any initial figures from the state. Chairman Espinosa suggested adding a footnote that these numbers are based on historical data, and may change due to fluctuation in student population and other variables.

Selectman Crowley indicated he would like the Town Administrator to draft appropriate language and revisit this matter at another meeting. At this time Selectman Trindade withdrew his motion. Suggested language might be along the lines of “. . . that we submit a budget to you as provided for in page 2 of the model. “ Selectman Crowley would also like input from the business manager at Medway Public Schools about Chapter 70 monies. Brief discussion followed.

Chairman Espinosa stated he was in a meeting with Superintendent Evans and Ms. Kennedy, where Dr. Evans acknowledged that there is a portion of her budget that will be used for field maintenance. The verbiage is just a reminder that this is taking place, and should be noted on the budget, though the actual numbers are not yet known. Ms. Kennedy reported that it is possible up-to-date Chapter 70 information may be forthcoming in the near future.

The Budget Policy will be revisited at another meeting.

Discussion – Board Representation on School Budget Advisory Committee:

The Board reviewed a list of proposed meeting dates.

Ms. Kennedy reported that, at the Leadership Meeting, she was asked to find out who wanted to be on this committee and suggested dates for Board representatives to be available. She asked Board members to jointly decide among themselves who would attend these meetings (two Selectmen) and potential dates that those individuals would be available.

Selectman Foresto moved that the Board approve Chairman Espinosa and Selectman Crowley as Board representatives to the School Budget Advisory Committee; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

- Street acceptance – This process is on track with one or two projects slated for Annual Town Meeting.
- Route 109 Project -- Still on track to have public 25% design meeting late January or early February.
- Strategic Initiatives for Economic Development/Economic Development Specialist – Done.
- Strategic Planning Session – Ms. Kennedy reported the consultant is willing to come back for one more session at no cost to the Town on Wednesday, December 5, at 6:30. Additionally, two selectmen will meet with consultant separately; Ms. Kennedy will arrange for a meeting date.
- DPS Facility Committee – Selectman Trindade has list of potential candidates and will draft proposal.
- Trane project – This was approved tonight.
- Town Cleanup – in process.
- Zoning change for industrial park – Selectman Trindade will handle this.
- Veterans' Memorial – Done.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 13-21, dated 11/21/12, presented for approval:

School Bills	\$478,970.17
Gross Payroll Town	\$302,873.03
Gross Payroll School	\$785,022.57
TOTAL	\$1,566,865.77

Selectman Trindade moved that the Board approve Warrant 13-21 as read; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Town Administrator’s Report:

Ms. Kennedy announced that the financial audit has been completed, and for the second year in a row, the Town did not have a management letter. She is working with the Town Accountant to set up a meeting with the auditors sometime in January. Ms. Kennedy explained for viewers that a management letter offers recommendations for improvement in financial management.

Referring to efforts to reduce energy consumption, Ms. Kennedy reported she got very good price quotes from prospective vendors, but has to reject them because they were based on the construction of solar facilities, which will not be feasible in the short term. Another meeting with consultants will be arranged.

Ms. Kennedy stated that, in working with the MAPC, she has learned that Medway is one of 17 communities chosen to participate in a regional effort to see if the Town wants to install a solar facility in order to tie into net metering. The MAPC also offered services for a Local Energy Action Plan (LEAP), which will be presented to the Energy Committee at its December meeting. At the end of this month, the Energy Committee will also be having a presentation on aggregation, which would have to come before Town Meeting before the Town could participate.

It is anticipated that the Legislative Breakfast will occur during the first week in February.

Selectmen's Reports:

Selectmen D'Innocenzo reported that EPFRAC went through the bids that were received, and reached out to the company who was awarded the bid. A kickoff meeting will be held next Monday. The project timeline estimates the work will be done in late spring.

Selectman Trindade began a brief discussion on providing dugout space for baseball fields. He noted that Medway Youth Baseball contracted for the work, engaged volunteers and accomplished a significant improvement on Town-owned property. He attended a meeting where he encouraged them to provide the Town with their long-range plans so that both groups can work together.

Selectman Foresto thanked Selectman Trindade for his presentation on the Thayer Project at Fall Town Meeting. He added that the Thayer group will go back out to bid in January. On municipal and residential aggregation on energy, the Town is restricted to roof-top aggregation due to the way the RFP was written. It was noted that Charles River Water Pollution Control may be able to provide space for a future installation.

Selectman Crowley expressed concern that an affordable housing unit available on Kingson Lane, behind the fire station, might be in jeopardy. Ms. Kennedy stated the letter was wrong, the address is actually 83, not 82. It was clarified that this is the unit with the complicated mortgage. It will still count toward the 10% requirement for affordable housing units. It was noted that locating people who meet the income eligibility levels is often difficult. The Housing Coordinator will handle all the associated paperwork. Brief discussion followed on MassHousing and CitizensHousing.

Selectman Crowley asked if the Board would like to have a presentation from Charles River Water Pollution Control. It was suggested to add this matter to the Action Items list for a February completion date.

Regarding local accident rates, the Board would like to meet with Tom Holder regarding funding that may become available for traffic studies through the Metropolitan Planning Organization (MPO).

It was announced that there are 100 tickets left for the New Year's Eve ball as part of the Medway 300 Celebration.

Selectman Foresto reported he attended an all-town community service at the Community Church as a kick-off for the Medway 300 Celebration. He noted that there is an interesting timeline on the back wall of the church, which features individual timelines for the church, the community, and other things.

Approval of Minutes:

The Board reviewed draft meeting minutes from July 16, 2012; August 21, 2012; September 4, 2012; September 7, 2012, and September 11, 2012.

Due to the lateness of the hour, the Board opted to postpone review of the meeting minutes.

At 9:43 PM Selectman Trindade moved to adjourn; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt, Night Board Secretary

**Board of Selectmen
December 17, 2012 – 6:00 PM
Sanford Hall
155 Village Street**

Present: Selectman Andrew Espinosa, Chairman; Selectman Glenn Trindade, Vice-Chair; Selectman John Foresto, Clerk; Selectman Dennis Crowley; Selectman Richard D’Innocenzo, and Suzanne Kennedy, Town Administrator.

Also Present: Carol Pratt, Town Accountant; Barbara Saint André, Town Counsel; Tom Holder, Director, Department of Public Services

At 6:02 PM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.

At 6:03 PM Selectman Trindade moved that the Board enter into executive session under Exemption 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel and Exemption 6: 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 [namely, Oak Grove], with the intent to return to public session; Selectman Foresto seconded. The chair so declared. No discussion. Roll Call Vote: 5-0-0 – Crowley, aye; D’Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye.

At 7:20 PM Chairman Espinosa reconvened public session.

Public Comments: None

Discussion – Evaluation of Parks, Fields and Recreation Areas Committee (EPFRAC) Composition:

The Board reviewed the following information: (1) Email, dated December 6, 2012, from Tina Wright, Open Space Committee Chair; and (2) Email, dated December 6, 2012, from Selectman Richard D’Innocenzo.

Present: Michael Francis.

After discussion, Selectman Foresto moved that the Board appoint Mike Francis to the Evaluation of Parks, Fields and Recreation Areas Committee (EPFRAC); Selectman Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Francis was advised he will need to be sworn in by the Town Clerk. The next meeting is Thursday, December 20 at 6:30 PM at the Senior Center. At 4 PM there is a meeting at the High School regarding field maintenance.

Employee Recognition – Novatime (Employee Time Record System) Implementation – Richard Boucher, Paige Eppolito, Sarah Pawluczzonek, Sean Peplinsky, and Melanie Phillips:

Present: Richard Boucher, Paige Eppolito, Sarah Pawluczzonek, Sean Peplinsky, Melanie Phillips.

Ms. Kennedy introduced all participants to the Board. She briefly reviewed the project that began approximately 2 years ago. After some research, they discovered a program that was superior to the industry standard Cronos at the time, and for half the cost. The team did a tremendous amount of beta testing to make sure that it would be suitable for Medway. It is more than a time recording system, as it has the ability to download into payroll.

Mr. Richard Boucher, Director, Information Technology, gave a short presentation showing how an employee would request time off using the software, how it records the request, how it sends a message to the supervisor who can approve it via the program, and that a message of approval is sent back to the employee. The program is tethered to MUNIS and costs \$120 per month to support. Brief discussion followed on the time currently spent processing both Town and School payrolls.

Ms. Kennedy expressed her appreciation for and pride in the work these people have accomplished. The Board thanked them all for their hard work.

Approval – Change Order West Street Water Main Project – Weston & Sampson, \$20,000:

The Board reviewed the following information: (1) Memorandum, dated December 17, 2012 from DPS Director Tom Holder; and (2) Change Order Document.

Mr. Tom Holder reported that, in order to extend the work period, there was a cost associated with that extension. This amount will cover the little things that will remain. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chair to execute the change order from Weston & Sampson relative to unanticipated additional oversight for the West Street Water Main Project in an amount not to exceed \$20,000; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Discussion/Appointments – DPS Facility Task Force (2) – At-Large and Board of Selectmen Representatives:

There was brief discussion on whether this group would be a task force or committee. Deciding that it would be a committee, a list of potential members was considered.

Selectman Foresto moved that the Board appoint the following individuals to the Department of Public Services Facility Committee: Jack Robinson, Bob Tucker, Pete Manning, Larry Ellsworth, Steve Bevilaqua, Marc Diebus, Jeff DeVolder, and Glenn Trindade; Selectman D’Innocenzo seconded. No further discussion. VOTE: 5-0-0.

Discussion – Choate Park Beautification:

There was brief discussion on residents who volunteered to do beautification work at Choate Park. Those individuals should contact Tom Holder for information.

Discussion – Task Force to Review Future Election Location(s):

Chairman Espinosa briefly explained the initial interest in getting the elections back to the Middle School, noting that a task force would be charged with the mission of examining available polling venues. Now that the gym floor at the Middle School has been refinished, there is concern that using it as a polling place will damage the floor. He indicated he has spoken with the Town Clerk about the formation of a group.

Selectman Trindade wondered about offering early voting, and whether some conditions are under the control of the Town Clerk or if they are state-mandated. It is noted that the committee members will be selected by the next Board of Selectmen meeting.

Discussion – Town/School Facility Consolidation:

Chairman Espinosa briefly reviewed the history of this matter, exploring whether a consolidation would work, pros and cons, etc. Independently, the schools arranged for a consultant to come in and look at it from their perspective. Chairman Espinosa asked the School Committee to bring the presentation to the Board as well so it could decide how best to proceed. Brief discussion followed. It was decided that the Town Administrator would work toward arranging the joint meeting between the School Committee and Board of Selectmen, and place this presentation on that agenda. This matter will also be added to the Action Items list.

Action Items from Previous Meeting:

Street Acceptance Process – At this time one street is being considered for presentation at Annual Town Meeting.

Route 109 – Mr. Tom Holder reported that the DPS staff did a mailing to all the abutters to come to the Senior Center to learn more about the project with sessions in both the late afternoon and early evening. Questions and concerns were noted and incorporated into the committee’s meeting minutes. The Route 109 Design Committee feels better prepared for the 25% design hearing.

Town Cleanup Initiative – Ms. Kennedy briefly updated the Board on contacting many groups and will hold a meeting for potential sponsors in January. Selectman Foresto has contacted school groups, community groups and church groups.

Miscellaneous Discussion – Grant Proposal – Sustainable Water Resource Program:

Mr. Tom Holder, Director, Department of Public Works, reported that grant funds are available through MassDEP in conjunction with the Sustainable Watershed Management initiative and will help the Town work toward required goals. A number of endorsements were secured to accompany the grant application, including the Charles River Water Pollution Control District, Route 495 Partnership, and the Planning and Economic Development Board. The endorsements total approximately \$100,000, an amount that will help cover costs of various water-related items, but does not commit the Town to any particular project.

Approval of Warrants:

Selectman Foresto, Clerk, read aloud Warrant 13-25, presented for approval as follows:

13-25P	Gross Payroll Town	\$ 236,405.38
13-25SP	Gross Payroll Schools	<u>785,898.99</u>

TOTAL \$1,022,304.37

Selectman Trindade moved the Board approve Warrant 13-25 as read; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Town Administrator’s Report:

Ms. Kennedy announced that Town Hall’s hours of operation will be changed for the holidays. On December 24, offices will be open until 1:30 PM; on December 31, offices will close at 3:00 PM. This announcement has been put on the Town’s website.

For the Board’s strategic planning session, the emphasis will be on communication. Ms. Kennedy asked if the Board would like to create a survey to all taxpayers or to random households. She offered to give the Board a draft copy which is similar to a report card of “How Are We Doing?” She also has a sample of a community newsletter from the Town of Westwood.

In conclusion, Ms. Kennedy reported that numerous staff members have approached her about making some adjustments in regular Town Hall hours. Offices have reported that no one comes to Town Hall to conduct business after 6:00 PM even though the hours on Mondays run until 7:30PM. She will gather more data before bringing a report to the Board.

Selectmen’s Reports:

Selectman D’Innocenzo reported the EPFRAC committee has been created and appointed. Surveys have gone out to High School and youth groups who will be meeting with consultants on Thursday. More information on the other groups who use the parks will be gathered.

Selectman Trindade had no report at this time.

Selectman Foresto reported the Thayer Development Group has met a few times, reducing the scale of some things on the project, and now has gone out to bid again. Items totally \$160,000 was removed from the project.

Selectman Crowley asked for a discussion on fire department issues that were brought up during the Board’s recent strategic planning session. After brief discussion, a meeting was scheduled for Thursday, January 3, 2012, at 7:00 AM.

Selectman Crowley would also like to see a presentation from the Middle School Building Committee relative to the Middle School Repair Project in January.

Chairman Espinosa reported that, in a recent Leadership meeting, traffic issues were discussed. The schools will put the numbers together before presenting to the Board of Selectmen. It is possible that the amount of associated costs will exceed parameters that would be acceptable to CIPC.

At this time, Chairman Espinosa extended the Board’s condolences to the families in Newtown, Connecticut, and extended his sympathies to family of Fred Tingley. Chairman Espinosa will write a letter to the governing authority in Newtown extending condolences and reaching out to the community and families.

Approval of Minutes:

The Board reviewed draft minutes from meetings held on September 17, October 1, October 15, and November 5, 2012.

Selectman Trindade moved the Board approve the minutes of September 27, 2012, as amended; Selectman Foresto seconded. No further discussion. VOTE: 5-0-0.

Selectman Trindade moved the Board approve the minutes of October 2, 2012, as amended; Chairman Espinosa seconded. No further discussion. VOTE: 5-0-0.

Selectman Trindade moved the Board approve the minutes of October 15, 2012, as drafted; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved the Board approve the minutes of November 5, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

There being no further business to come before the Board, the meeting was adjourned at 8:35 PM.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary