

Board of Selectmen's Meeting
October 17, 2016 – 7:00 PM
Sanford Hall, Town Hall
155 Village Street

Present: Glenn Trindade, Chair; Maryjane White, Vice Chair; Richard D'Innocenzo, Clerk; Dennis Crowley, Member; John Foresto, Member.

Absent: Michael Boynton, Town Administrator;

Staff Present: Allison Potter, Assistant Town Administrator; Carol Pratt, Finance Director; Mary Becotte, Communications Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Stephanie Mercandetti, Community Development Director; Bob Weiss, Energy Manager.

Planning & Economic Development Board: Andy Rodenhiser, Chair; Tom Gay, Jim Wieler, Bob Tucker.

Others Present: Gino Carlucci, Planning Board Consultant; Carrie Bergeron, Chair, Energy Committee;

At 7:00 PM Chairman Trindade called the meeting to order and led the Pledge of Allegiance.

Public Comments: None.

Presentation – Five Year Budget Forecast:

The Board reviewed the Five-Year Budget Forecast.

Present: Carol Pratt, Finance Director.

Ms. Pratt reviewed various components of the Budget Forecast beginning with the revenue and growth assumptions. Then she moved on to school salary increases, police salary increases relative to new hires, impacts on Norfolk County Retirement System and an potential increase in health insurance premiums of 7%. Selectman Crowley asked for a list of potential increases in head count. Ms. Pratt confirmed that the forecast includes three police officers for second year as well as four firefighters. There are no additional new hires anticipated at this time.

Ms. Pratt then reviewed the five-year debt service forecast which was followed by a discussion on the Department of Public Services Enterprise Fund debt allocation. With respect to Veterans Services, it was noted that it is very difficult to predict when veterans or spouses of veterans will request assistance.

For the benefit of new residents, Selectmen Crowley explained that the DPS Facility will be built without override or debt exclusion. It is anticipated that all costs will be paid out of the general fund as the Board has been planning for years.

Responding to a question from the Board, Ms. Pratt stated that, out of the \$140,000 collected as Meals Tax is transferred into the OPEB Trust while the other \$40K stayed in the General Fund.

General discussion followed on criteria evaluated by bond agencies when the Town offers Bond Anticipation Notes.

Municipal Aggregation Presentation – Mark Capadonna, Colonial Power Group, Inc.:

The Board reviewed a PowerPoint presentation – Community Choice Aggregation Program.

Present: Carrie Bergeron – Chair, Energy Committee; Bob Weiss, Energy Manager; Mark Capadonna, President, Colonial Power Group, Inc.; Bernard Lynch, Community Paradigm Associates.

Ms. Bergeron provided a brief overview on the process, noting that the Energy Committee held discussions with other communities and interviewed three consultants extensively in order to make recommendations for this program. Colonial Power Group was the Energy Committee's choice out of the three interviewed.

If the Board is in agreement, the next steps would be to move forward with negotiating a contract with Colonial Power. The intent of the program is to try to lower the electric bill of participating residents so that the distribution piece can be lowered by aggregating with a power company. Buying power in bulk will lower the bill. Instead of each household, we combine all households into one large unit.

Selectman Foresto provided a brief explanation on how we got to this point, noting that many communities are participating in similar programs. This is for both residential and commercial.

Mr. Bernard Lynch of Community Paradigm Associates noted that an opt-out program is required by state regulation. With Colonial Power, a resident can opt out with a postcard, over the internet or with a phone call. With a phone call it goes to Colonial Power directly. Implementation of a program takes several months, and people forget. Information will be continually distributed so that people are aware of the program. If a resident opts out, they can later opt back in if they want to. All bills to residents will be paid to Eversource.

Mr. Lynch stated that he personally has 35 years of municipal government experience, adding that Colonial does this for 65 communities now, ranging from very small communities to one the size of the City of Lowell. The service rendered is the same no matter the size of the community.

Brief discussion followed on community aggregation during which it was noted that one of the major benefits is the stability of price. Ultimately, the decision will be made by each consumer after the Town signs on. As to the bid process, Mr. Capadonna explained that they will put out an RFP on behalf of the Town, and large energy suppliers will then bid on it. The Town will have to decide on the length of contract with the supplier that is the winning bidder. Discussion followed on various scenarios and Exelon plant. There will be energy savings for consumers, economic development for small businesses due to the savings, pro-consumer benefit and the benefit of Colonial's professional expertise. Green opportunities are also available based on how the individual program is structured.

The next step would be for the Board of Selectmen to vote to adopt an Aggregation Plan. Colonial would prepare it and we would bring it back to the Board for review. The Plan outlines the roles and responsibilities of all the parties, then the Plan is forwarded first to the state, and then to the Department of Public Utilities. At that point, the Town has the ability to enter into aggregation but is not required to do so.

Brief discussion followed on whether to bring a contract forward. The contract would be with Colonial who would act as the Town's consultant in this process.

Mr. Charlie Myers asked if Colonial will consider load-shifting which is usually put on the supplier in these kinds of scenarios. The financial benefits could come to the Town if load-shifting is included. Mr. Myers also reported that legislation passed at the end of July dealt with energy storage.

Chairman Trindade summarized some of this discussion should go through the Energy Commission. Mr. Capadonna noted that these discussion points really fall with the supplier rather than the Board. The Board asked for copies of the contracts and plans that Franklin and Holliston have.

Contract Approval – Energy Management System Installation in Police Department Headquarters – Prism Energy Services, \$96,968:

The Board reviewed the following information: (1) Memorandum dated October 13, 2016; and (2) Contract.

Present: Bob Weiss, Energy Manager.

Mr. Weiss reported that this project is funded by grant funds as well as Eversource. The grant was awarded in June and no money from the Town is involved. The benefit is that we will have a more efficient heating and cooling operation at the police headquarters. Energy rebates have increased so the actual cost of the project is less.

Selectman Crowley theorized that it is still tax money that has been paid to the state in taxes, so in theory it really isn't free. It has an estimated payback period of 11.5 years.

Selectman Foresto moved that the Board authorize the Chairman to execute a contract with Prism Energy Services for energy management system installation at the Police Department Headquarters in an amount not to exceed \$96,968; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

(7:45 PM) Public Hearing – Retail Liquor License Request – TC Scoops:

The Board reviewed an Application for License. It is noted that all necessary documentation has been received from the applicant. Abutters have been notified and a public hearing notice was posted in the Milford Daily News within the appropriate time frame.

At 7:50 PM Chairman Trindade moved to open a public hearing for the purpose of considering the application for a Retail Liquor License; Selectman White seconded. No discussion. VOTE: 5-0-0.

At this time, Chairman Trindade turned the gavel over to Vice Chair White and exited the meeting room. He re-entered the room at 7:55 PM and retrieved the gavel.

Ms. Potter reported that the Town Administrator's office had received an application for wine and malt license. She added that there are currently three malt and wine licenses left as well as two all-alcohol licenses.

Present: Tina Chemini, owner and operator.

Ms. Chemini stated she is continuing her efforts to make the parlor "a gathering place", and with the hot dog offerings, she would like to offer her patrons hard cider or beer.

Selectman White asked if she would be able to get a glass of wine without ordering any food. Ms. Chemini responded it would be possible. What about private parties? Brief discussion followed on TIPS training programs. It was emphasized that the kitchen must be open during all hours when alcohol is made available or served.

Selectman Foresto asked Ms. Chemini has complied with all ABCC requirements. Ms. Potter responded that the Board must approve first, and then it goes to the ABCC. She added that the Police Chief is pretty comfortable with allowing the license.

Mr. Andy Rodenhiser, Chair, Planning and Economic Development Board, stated he wishes to speak in favor of the applicant. He noted that Ms. Chemini participates in our economic development committee and is a good corporate business. She runs her business in exemplary fashion.

Selectman Crowley noted that he personally has an issue with an ice cream parlor serving alcoholic beverages. Where do we draw the line for our community? That's one of the reasons the ABCC gives Town Boards the flexibility as they know their own communities. He added that he could not think of another ice cream parlor that serves alcohol. Lots of children go in, and he did not think it was the right venue for alcoholic beverages. Ms. Chemini responded that she too has a social conscience, and will not serve alcohol to someone who comes in with a lot of kids. Chairman Trindade theorized that there are peak times where school age children will not be there at the parlor, such as between noon and 2 PM, suggested that more alcohol sales would occur from 5 – 8 PM.

Directing his question to Ms. Chemini, Selectman Crowley asked about her lease with the property owner and whether it allowed her to use the premises for alcohol service. He asked how many seats the restaurant had. Ms. Potter noted that the application stated there are 95 seats. Selectman Crowley stated he would like more information, noting that Ms. Chemini has indicated on her plan to renovate but the Board needs to see the serving areas. The Board has to fully understand the intent of the change.

Selectman White asked Ms. Chemini is she was considering wine and paint parties. Ms. Chemini responded in the affirmative, noting that was where this initiative started. She added that she also wanted to have a coffeehouse kind of atmosphere.

At 8:05 PM Selectman Trindade moved to close the public hearing; Selectmen D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade asked the applicant to flesh out this request more, specifically what the plan will be and how the updated business will be operated. The Board will revisit it two weeks from now.

Consideration of Appointment – Community Preservation Committee—At-Large Member (1 Position) – Tom Emero, Debi Rossi, Dayna Gill, Rori Stumpf:

The Board reviewed Letters of Interest and Resumes from candidates Tom Emero, Debi Rossi, Dayna Gill and Rori Stumpf.

Noting that this is a very important committee, Chairman Trindade briefly described the projects that the Community Preservation Committee has been involved with. As the current member, Mr. Kali, is moving out of Medway, a vacancy will be created. It was decided to interview each candidate, beginning with Mr. Emero.

Mr. Tom Emero stated that he is an attorney with a Masters' Degree in environmental law. He does not practice law, but spend time with permitting agencies and the like. When he lived in Maine, he served on the Planning Board and Zoning Board of Appeals. He has raised two children in Medway and has served as President of Medway Youth Baseball for two years, developing relationships with groups in town. Lastly, he declared that he is looking for additional ways to offer public service.

Responding to a question from the Board, Mr. Emero stated that he would look at the facts of a proposed project, basically separating himself from any personal intent and do what's best for the Town. He

admitted he has attended few meetings. He added that he did not know how he would vote on a referendum to reduce or eliminate the amount collected as Community Preservation Act funds.

Chairman Trindade noted that the Town has collected over five million dollars via CPA and has used it to purchase open space, develop athletic fields, affordable housing, Thayer homestead and the community farm, and now hopefully those funds will be used to build trails.

Ms. Debi Rossi stated she has been a resident for 19 years and involved with various sports. Both her children were raised in Medway and her family is very supportive of Town activities. She too was looking for a way to give back to the Town. Responding to the Chairman's question, Mr. Rossi stated that her professional career is in investment performance analysis and would look at it from that perspective, but try to do what is best for the whole community. A long term vision is also important. She noted she has yet to attend a CPC meeting. As for a reduction in CPA funds collection, she would be in favor of reducing it, based on what the numbers are and how much is already in the fund.

At this time, Selectman Crowley suggested that it will be tough to make a decision as there are four candidates. He posed this question to all the candidates: Would you consider other openings if you are not chosen for this one? Selectman White added to that: Did you choose this specifically or just to be involved? All were looking for a way to be involved.

Dayna Gill stated she moved to Medway last summer, having grown up in Franklin. Her mother grew up in Medway, and Ms. Gill now lives in the same neighborhood as her grandparents. She is interested in becoming part of the town and volunteering her time. Ms. Gill noted that she works for her father at an engineering firm, and would like to do something productive in her spare time. She added that she worked with the Conservation Commission in Franklin.

How do you go about judging community benefit? Ms. Gill responded that she would have to weigh costs and benefits, and the overall impact to the community. It's important to try to identify whether there are potential consequences.

How do you stay purely objective and not support your personal interests? Ms. Gill stated she has no sports affiliations, adding that she believes she would just do the right thing. There is a time and place for all things, and sometimes things will have to wait. She noted she has not attended a CPC meeting.

If a question was put forward to reduce the CPA fund collection, how would you vote? It's an important committee with benefits that are not obvious. Ms. Gill stated she would vote to reduce it, noting that there are benefits for all types of people, not just those interested in athletics or walking trails. As long as the Town takes care of its residents, the CPA tax is okay with her. Responding to a question from Selectmen Crowley, she stated that she only has a year's experience on the Conservation Commission in Franklin, adding that she would definitely look for another spot if not selected for the CPC.

Mr. Rori Stumpf stated he is currently serving as associate member of the Zoning Board of Appeals. He has been a Medway resident for 14 years and has a 4-year-old daughter. As an assistant soccer coach for 4-year olds, he noted they use a lot of the facilities around town including fields, playgrounds and trails. This sparks a natural interest in the CPC. Mr. Stumpf stated that it is important that the CPC use the dollars to make prudent investments in our community and a wise use of taxpayer dollars in ways that will benefit the residents for years to come. He added that he likes what he's seen with the renovation of the Thayer Homestead and the Medway Community Farm. He would like to help continue finding good projects.

Responding to a question from the Board about decision-making, Ms. Stumpf stated that committee members have to be careful to use tax dollars in a way that the public will see a benefit and not a waste of their money. She noted she has not been to a meeting but has asked for meeting minutes. On reduction of CPA funds collection, she believes the funds distribution changes every year, and it should be evaluated each year based on what the state contribution might be.

At this time, Chairman Trindade asked the Board what it wanted to do about the appointment. Vote tonight or wait two weeks? Selectman D’Innocenzo stated he would prefer to wait; Selectman Foresto wanted to make the appointment this evening; Selectman White wanted to wait; and Selectman Crowley also wanted to wait. This would give the Board time to process the interviews this evening. Chairman Trindade informed the candidates that the matter will be on the next agenda, adding that if they were unable to attend, the absence would not be considered a lack of interest.

Consideration of Appointment -- Energy Committee, Sebastian Downs:

The Board reviewed the following information: (1) Email Correspondence from Carey Bergeron, Energy Committee Chair; (2) Letter of Interest; and (3) Resume. It is noted that the Energy Committee is recommending Sebastian as a voting member to fill the vacancy.

Present: Carey Bergeron, Chair, Energy Committee; Bob Weiss, Energy Manager; Sebastian Downs, Applicant.

Ms. Bergeron reported that the Energy Committee recommends the Board appoint Mr. Downs to the Energy Committee, as stated in her email.

Mr. Downs stated that he is a new resident to Medway with his partner who is the assistant manager at the Medway Community Farm. He works as an energy and mechanical engineer. He served with Boston Public Schools doing green projects, and then moved on to engineering firms.

Selectman D’Innocenzo moved that the Board appoint Sebastian Downs to the Energy Committee for a four-year term; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Vote Recommendations – Fall Town Meeting Warrant:

The Board reviewed the following information: (1) Draft Fall Town Meeting Warrant; (2) Supporting Documents from the Planning and Economic Development Coordinator; and (3) Proposed Walking Trail Maps. .

At this time, the Board reviewed components of select Warrant articles, followed by voting its recommendations on the full warrant.

Article 8 – CPS Funds: Walking Trail – This article is to provide funds to design and construct a crossing over Chicken Brook in order to connect the trail with existing trail system. Present this evening were members of the Ad Hoc Committee: Mike Murphy and Tina Wright. Ms. Wright explained that this is not just the boardwalk but how it ties into the trail system. It is a key component of the Master Open Space Plan.

Chairman Trindade stated that the funds in this article are to be used for this bridge. Mr. Boynton added that some modified options are being explored while determination of the final location is still under review. The committee is waiting to see if Eversource will agree to the easement which would provide a better access to the boardwalk, and this would bring the cost down somewhat. Testing will be completed next week which will determine how deep the materials have to be installed.

Selectman Crowley asked if locating the trail directly behind Iarussi Way has been completely ruled out. It has not. He wanted to be sure that will not go there, not even in the future. Why don't we put the cost of the bridge in with the trail itself, instead of the trail stopping at the bridge? Ms. Wright responded that the boardwalk would provide access to an area that right now is inaccessible. One would be able to step off the boardwalk and onto trails through wetlands and fields.

Discussion followed on potential routes. Chairman Trindade stated he would not want to see it go near power lines or very close to someone's back yard. Mr. Murphy agreed, stating that it does not make sense to put it behind houses. The challenge is with conservation issues, and as we walk through, there is concern about the other options. In his layman's opinion, there is a trail system being built in the Millstone system where one will not be close to back yards, and the elevations do not change very much.

Article 5 – Fund Structure Demolition: Ms. Potter stated this article was a new addition to the Warrant. This building is located behind the Fire Station that is behind Town Hall. It is dilapidated and has been condemned by the Building Commissioner. It was noted that the Lions Club currently stores cans and bottles from their bottle drives there for sorting.

Article 9 – Right-of-Way Easement, 9 Marc Road: Mr. Andy Rodenhiser, Chair, Planning and Economic Development Board stated that this will provide access to the back area and the County Way.

Article 10 – Zoning Bylaw Amendment: Village Residential Zoning District: Ms. Susy Affleck-Childs, Community & Economic Development Coordinator directed the Board's attention to the handout with maps. She reported that the community forum will be November 1 at Thayer Homestead on zoning bylaw changes. Brief discussion followed on the fact that drive-thrus are being proposed for elimination from the district.

The Board voted its recommendations on the Fall Town Meeting Warrant as follows:

Article 1: Adjustment: Community Preservation Fund Statutory Set-Aside: **Selectman Foresto moved that the Board recommend Article 1 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 2: Prior Year Bills: **Selectman Foresto moved that the Board recommend Article 2 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 3: Fund EMS: **Selectman Foresto moved that the Board designate Article 3 as TBD (To Be Determined); Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 4: Fund Route 109 Project Manager: **Selectman Foresto moved that the Board recommend Article 4 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 5: Fund Restructure Demolition: It was noted that the subject building may contain asbestos which will cost more so the amount has been increased from \$20,000 to include funds for asbestos abatement. The Board would like more information. **Selectman Foresto moved that the Board place a TBD designation on Article 5 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 6: Supplement FY17 Memorial Committee Budget: It is believed that these funds are for a band. The Board asked Ms. Potter to confirm the use of the funds. **Selectman Foresto moved that the Board place a TBD designation on Article 6 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 7: Abandon Portion of Drainage Easement – 15 Tulip Way: Mr. Rodenhiser noted that this will allow access to drainage equipment in the back lot and that the DPS has checked it out. **Selectman Foresto moved that the Board recommend Article 7 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 8: CPA Funds -- Walking Trail: An ad hoc group has been working on this concept for some time. They believe it will be \$100,000 but it could be less. Much of the work will be done by volunteers, and some pieces may be done as Eagle Scout projects. The bulk of the money is for the bridge. Discussion followed. **Selectman Foresto moved that the Board place a designation of TBD on Article 8 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 9: Right-Of-Way Easement – 9 Marc Road: **Selectman Foresto moved that the Board recommend Article 9 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 10: Zoning Bylaw Amendment: Village Residential Zoning District: **Chairman Trindade moved that the Board recommend Article 10 as presented; Selectman White seconded. No discussion. VOTE: 4-0-1 Foresto abstained.**

Article 11: Zoning Bylaw Amendment – Village Commercial Zoning District: It was noted that the boundaries of the district will be unchanged from those presented in Article 10 and reflects a name change from the current bylaw. **Selectman Foresto moved that the Board recommend Article 11 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 12: Zoning Bylaw Amendment – Central Business Zoning District: **This article also reflects a name change but no change in the boundaries. Selectman Foresto moved that the Board recommend Article 12 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 13: Amend Zoning Bylaw: Definitions: It was noted that this is continual cleanup of the existing language. **Selectman Foresto moved that the Board recommend Article 13 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 14: Dimensional & Density Regulations: It was noted that this article brings pre-existing lots more into conformity. **Selectman Foresto moved that the Board recommend Article 14 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 15: Zoning Bylaw Amendment – Schedule of Uses: **Selectman Foresto moved that the Board recommend Article 15 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 16 – Amend Zoning Bylaw: Registered Marijuana Dispensary: It was noted that this article provides for 24-hour growing. **Selectman Crowley moved that the Board recommend Article 16 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Approval– One-Day Liquor License Requests:

The Board reviewed One-Day Liquor License Applications and Police Chief Recommendations for Thayer Homestead events hosted by Medway Youth Football and Cheer (October 21, 2016) and Maryjane White (December 8, 2016).

Selectman Foresto moved that the Board approve one-day liquor licenses for Medway Youth Football and Cheer and Maryjane White for their events to be held at the Thayer Homestead on

October 21 and December 8, 2016 subject to Police Chief's recommendations and proof of appropriate insurance coverage; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

Review of the Action Items List was postponed.

Approval of Warrants:

The Board reviewed Warrants 17-17 and 17-17SP.

Selectman D'Innocenzo, Clerk, read aloud Warrants 17-8 and 17-7AS, dated 10-20-16, as follows:

17-17	Town Payroll	\$ 374,917.83
17-1SP	School Payroll	<u>\$ 825,732.07</u>
	TOTAL	\$1,200,649.90

Selectman Foresto moved that the Board approve the Warrants as read; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval of Minutes:

Due to the lateness of the house, review of draft minutes from April 19, 2016; June 20, 2016; July 11, 2016 and August 15, 2016 was postponed.

Town Administrator's Report:

Due to Mr. Boynton's absence, there was no Town Administrator's Report.

Selectmen's Reports:

Selectman White, speaking as Town Clerk, reminded residents that early voting for the November 8 election starts on October 24 for two weeks with special hours on October 28 and 29 at Town Hall. Absentee ballots are also available.

Selectman White announced that a Christmas Tree has been donated. They will dig the hole and plant it in front of the tennis courts in Choate Park.

Referring to the Town Administrator Evaluation Process, Chairman Trindade stated the Board needs to form a subcommittee to create the evaluation materials and to begin contract renewal discussions with Mr. Boynton. Selectman White and Selectman Foresto agreed to serve on this subcommittee. Chairman Trindade emphasized that the Board needs to show residents that we have evaluated his performance. Part of the process is to create the evaluation materials. **Chairman Trindade moved that the Board appoint Selectman White and Selectman Foresto to the Town Administrator Evaluation and Contract Negotiation Subcommittee; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

At 9:42 PM Selectman Foresto moved to adjourn; Selectman White seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary